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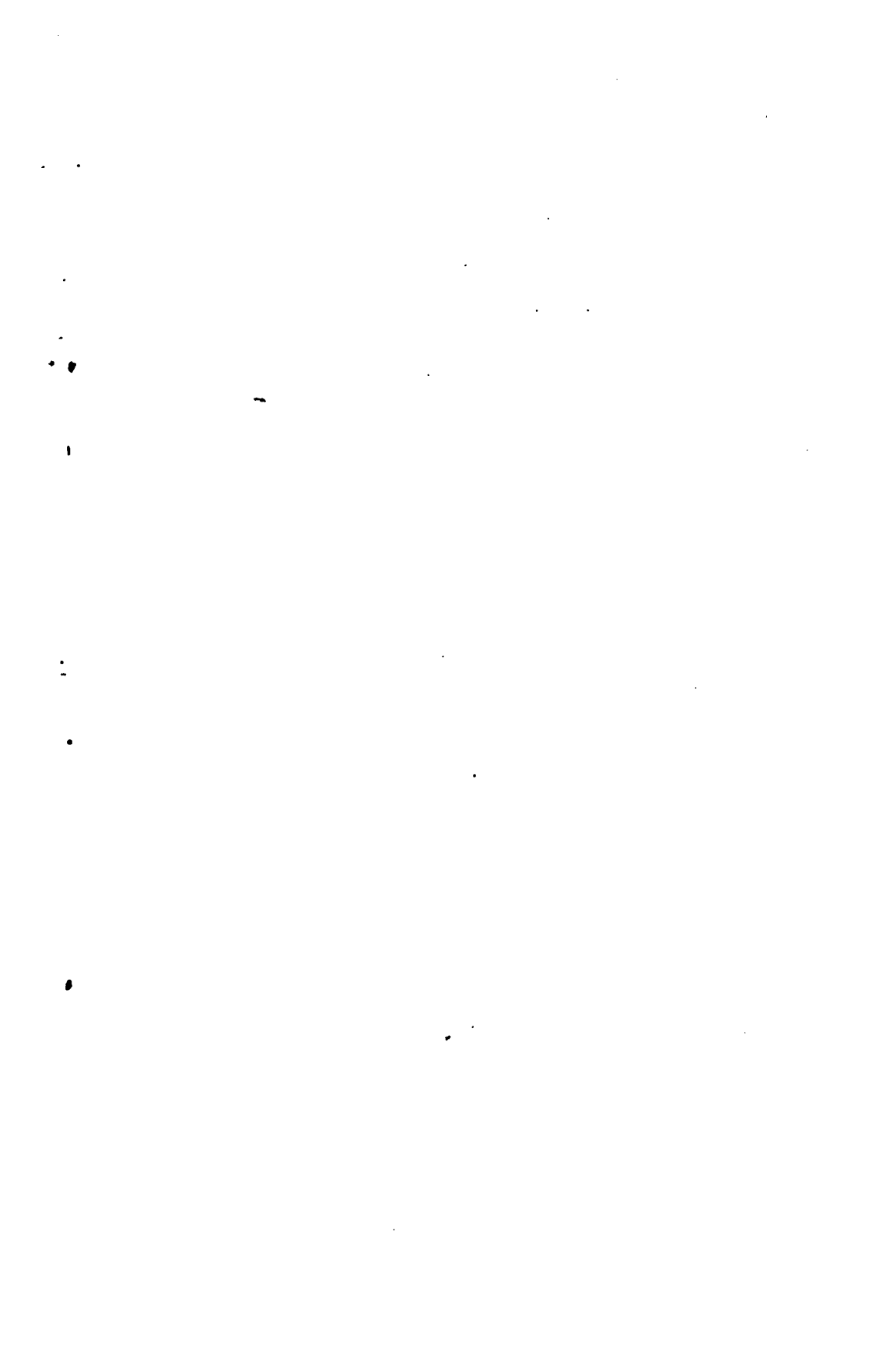
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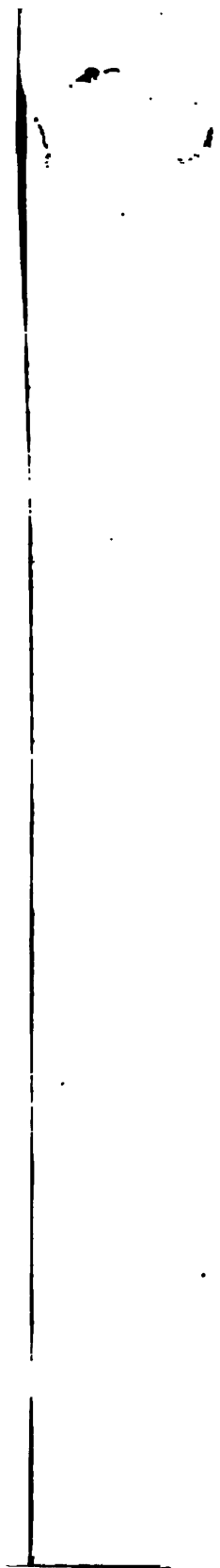
New York state civil
service commission

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FIFTEENTH REPORT

OF THE

NEW YORK

Civil Service Commission.

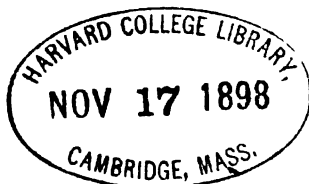
COMMISSIONERS:

WILLARD A. COBB, **GEO. P. LORD,**
SILAS W. BURT.

TRANSMITTED TO THE LEGISLATURE MARCH 29, 1898.

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The Commission



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REPORT.

ALBANY, N. Y., *March* 15, 1898.

To the Governor:

The fifteenth annual report of the State Board of Civil Service Commissioners is herewith respectfully submitted.

The Commission has remained unchanged the past year, namely: Willard A. Cobb, George P. Lord and Silas W. Burt.

NEW CIVIL SERVICE LAW.

In accordance with the law adopted by the Legislature of 1897 (chapter 428), supplemental to the State Civil Service Law of 1883 (chapter 354), and in accordance with the provisions of the ninth section of the fifth article of the State Constitution, the Commission on June 4th revised its rules for the conduct of the State Civil Service. Such rules were approved by your excellency July 1, 1897. Inasmuch, however, as it was deemed impossible to hold new examinations in less than six weeks from the time the new rules went into effect, the old eligible lists were voted operative until September 15th. Since that time examinations under the new law have been held throughout the State and all the requirements promptly met. As circumstances, therefore, have as yet allowed only a comparatively short period for ascertaining the practical workings of the civil service law as supplemented, obviously it is still experimental. But such results as have been already obtained fairly indicate not only maintenance of constitu-

tional requirements but faithful civil service administration of State affairs. By the co-operation of heads of departments, themselves vitally interested, even increased practicability and efficiency have been attained.

ADDITIONAL WORK AND RESPONSIBILITY.

Any reference to present duties of the State Civil Service Commission compared with even a few years ago must emphasize increased labor and responsibility. The addition of the State prisons and the canals added materially to our work. There is to-day hardly a department of State or subject of vital public interest with which the Civil Service Commission of the State is not in close touch. And yet so accurately is all now adjusted as the result of time and experience that the system although multiplied many fold, works with substantial unanimity and unvarying precision. Something of the advance thus made may be realized from the condition of affairs two years ago when the original law had been in operation fully twelve years. We quote from the Civil Service Commissioners report of 1895: "The law was passed during the legislative session of 1883. January 1, 1884, was fixed as the time when it would go into effect under rules adopted by the first commission and approved by the governor. The rules adopted were very elaborate, so elaborate and complex in fact that they have never been fully followed. They involve among other things so complex a system of classification and examination that it has never been found practicable by any commission to carry it out in its entirety. Moreover the law and rules made under it provided for the subjection to them of every branch of the civil service of the State. * * * The result of all this was that the State law was not fully in force by the first commission, only 18

persons having been appointed during the first year from the eligible lists resulting from competitive examinations. There were in 1885, 22 appointments from the eligible list, in 1886 there were 57, in 1887 there were 58, in 1888 there were 79, in 1889 there were 47, in 1890 there were 62, in 1891 there were 71, in 1892 there were 101 and in 1893 during the administration of the present Commission, there have been 129."

Reference to years succeeding 1893 show a steady increase in the particular named, until 1896 there were 3,829 persons examined in competitive examinations and 630 appointments from the resulting eligible lists. These figures are given to emphasize the above statement of the growth of the work of the present Commission and to make two suggestions for legislative action: (1) An increased appropriation for necessary expenses of the Commission, with its increased duties and (2) provision for more commodious quarters in which to properly perform such additional labor. The appropriation for 1897 was \$16,800. This amount was expected to cover examinations and office expenses at least—an amount wholly inadequate to meet the increased expenses of the Commission incident to the situation we have already explained. The expense of examinations owing to their increased number has increased perhaps beyond any other department, such total expenditure doubtless being beyond any official or public idea. The present Commission rooms located on the fourth floor of the Capitol are inaccessible and restricted as compared with many other State departments obviously of less importance. As it is, the Commission with its constantly increasing examination papers and other evidences of increasing growth is cramped for room and should be promptly provided with more accessible and commodious quarters.

STATISTICAL INFORMATION.

For full statistical information with regard to results of the Commission's work during the fiscal year, we beg to refer to the complete tabulated statement in the appendix to this report. Such statements indicate in clear and tabulated form the number of persons in the unclassified and classified service of the various departments of the State and institutions thereof; the number of persons examined under the old and the new law; the number who passed and the number who failed; the number of persons appointed from eligible lists, etc., the whole showing detailed and total results. These figures have been made with care and are believed to be accurate. They prove practically the wonderful growth of the civil service of the State as already stated, and by inference at least emphasize the timeliness of your Excellency's recommendation in your second message to the Legislature that "A larger force and better accommodations should be given the Civil Service Board." The Commission feels that present financial appropriations are insufficient to properly meet its needs and believes that with such increased appropriations and enlarged accommodations the work will be even better systematized and expected results more promptly obtained.

THE YEAR'S ROUTINE WORK.

Of the routine work of the year, the following items are worthy of special notice:

The approval of civil service regulations and amendments for cities.

The establishment of age limitations for Supreme Court attendants and the ruling in regard to the application of age limits to veteran applicants.

Transfers of positions between the various classes and classification of new positions.

Provision for separate eligible lists for the several divisions of the State under the Department of Agriculture.

Extension and revision of existing eligible lists to conform to the new law.

Adoption of new rules, regulations and schemes for the State Civil Service in accordance with the new law.

Relinquishment of jurisdiction over minor and local courts in cities.

MUNICIPAL CIVIL SERVICE.

During the year civil service regulations have been approved by the Commission for the cities of New York, Brooklyn, Buffalo, Rochester, Syracuse, Binghamton, Cohoes, Albany, Rensselaer, Yonkers, Long Island City, Poughkeepsie and Elmira. This list includes nearly all the larger cities of the State and some of the smaller ones. It does not, however, include all cities in the State as strictly speaking under the law it should. Delinquents have been notified of their duty and it is confidently expected that in reasonable time every city in the State will be brought under the new civil service law. At the same time the Commission desires to explain that because of the few employes in the service the smaller cities have less practical interest in the Civil Service Law and rules than the larger ones, and for that reason have been allowed some indulgence in their neglect to promptly comply with the law.

DEPARTMENT WORK ELSEWHERE NOTED.

The Commission can here refer simply in a prefatory way to its work. For details as a whole it refers to the full and credit-

able report of Chief Examiner Fowler, as well as the faithful and intelligently tabulated statement of Secretary Angle, to be found elsewhere.

IN CONCLUSION.

The year's work appears to have been a practical advance. The civil service system is in the State Constitution, and is approved by the majority and all that is necessary in our opinion to its full acceptance is its rigid and just application under the Constitution on equitable and practical lines.

WILLARD A. COBB.

GEO. P. LORD.

NEW YORK, *March 15*, 1898.

To the Governor:

I beg to respectfully present a report of my reasons for disagreeing with the majority of the members of the Civil Service Commission in their regular annual report to you.

Having had for over thirty-five years some experience in the civil service and in the methods adopted for its regulation, I reached certain conclusions as to the existence of abuses in that service and as to the most feasible method of removing them. This method, so far as principles are concerned, was that embodied in the law of this State and the rules under it, as they stood before May 15, 1897. The amendatory law passed on that date was in many respects a signal departure from the fundamental provisions of the antecedent statute. While I did not disguise from you my doubts of the efficacy of the new law, I sedulously aided you, as indeed was my official duty, in drafting rules for its administration and enforcement, and endeavored, so far as I could, to ensure a fair trial of the law and rules. I have

refrained from any public criticism or comment upon the results of this trial until now, when it is my statutory duty, as a member of the Commission, to report to you, who have upon all occasions freely accorded to me the privilege of an independent and candid expression of opinion.

The avowed purpose of the framers of the civil service act of May 15, 1897, was to secure a more effective enforcement of the ninth section of the fifth article of the Constitution, enjoining appointments for approved merit and fitness, and was thus a condemnation in that respect of the vital principles of the previous act that it amended. Those who had given any special attention to that branch of public policy, known as civil service reform, saw in advance that the proposed law would not serve the declared ends of its supporters.

The movement in this country for civil service reform originated prior to 1871, and on March 3d of that year found lodgment in a brief but comprehensive section of an United States statute, subsequently enlarged and amended by the act of January 16, 1883, and on May 4th of the same year an almost identical law—*mutatis mutandis*—was enacted in this State. All of this legislation was based upon the universal experience in all countries and times that as a general proposition it is unsafe to confer upon administrative officers, where they were exposed to partisan or personal influences, an unrestrained power of appointment; unsafe because such power not only might be exercised without paramount consideration for the public interests, but that in the vast majority of cases it was so exercised. These abuses of power had produced several evils, the most serious of which were, first, the degradation of the civil service by its subordination to partisan ends or personal advantage; second, the practical exclusion of a

moiety, at least, of the citizens from any participation in public employment; third, the demoralization of our political methods by the use of the civil service as a means of bribery or reward in party warfare.

The objective point of the several laws enacted to curb these abuses was such a restraint of the appointing power as would prevent, so far as practicable, its exercise for any other purpose than the public interest. These laws have been in operation in the United States service for over fourteen years without amendment and in our State service for nearly the same period without any amendments, except to enforce the provisions of such statutes, to extend them to the service of cities and to confer certain privileges on the veterans of the late war. The rules under which these laws were administered, though originally considered as tentative, were never radically changed. In minor points they have been modified from time to time as experience indicated and they were subject to further modifications as added experience might suggest. The primary principle of these rules was the limitation of appointment to the selection from the three persons standing highest upon an eligible list of those whose relative merit and fitness above a certain minimum standard had been ascertained by an open competitive examination held by the Civil Service Commission. This limitation reduced the opportunities for favoritism to the lowest point deemed possible, since a restriction to the one person standing highest would annul the officer's discretion and responsibility for the appointment, while the three names gave a discretionary range that has by long trial been approved as sufficient, particularly since it was supplemented by appointment for a probationary period only before a permanent tenure was given. This probation was an essential

part of the examination and has in practice shown how satisfactory the antecedent procedure was since the number of those who were dropped from service during or at the end of the probationary period has been so inconsiderable that it may be disregarded. Even if the deficiencies of an appointee were not disclosed until after this period, the power of prompt removal could be exercised.

This system in which the officer had no participation in the examination until the three most eligible candidates were certified to him preserved every element of fair competition and equitable rights, and so was a full compliance with the constitutional provision, which in fact had been framed upon the text and approved administration of this very method during an antecedent period of a dozen years. Within this same period there had been criticisms, more or less well founded, regarding the details of the rules or of their administration, such as touching the too scholastic character of the examinations or their failure to test amply practical ability or personal character, etc.—all of which defects could be readily cured. It is an indisputable fact that there was no general public expression of dissatisfaction with the law and the rules as they stood before the enactment of May 15, 1897. The latter statute has been in force in all its features since September 15th last—a period of over six months—during which its practical operation has sustained the validity of many of the adverse criticisms upon it, made in advance.

The new law rests upon that very assumption, that officers will exercise the power of appointment with an eye single to the public welfare, that existed before any civil service laws were enacted and the results of which had made such laws necessary. It in terms differentiates merit and fitness, qualities theretofore

considered as identical or conjoined; but this differentiation might be in itself immaterial, were it not made harmful by the restoration to the appointing officer of exclusive control of the examination for fitness. This is a great retrogression towards the old patronage system, since however high or low may be the marking of a competitor for merit, it can be practically reversed or even nullified by the subsequent marking for fitness, made by the appointing officer. The methods of marking relatively these two factors must be taken into account. In the examinations for merit all the questions propounded to the several candidates are identical, and these, the several answers to them and all other pertinent matters, are of permanent record, and the relative values of the several answers are estimated by persons ignorant of the names of those whose work they thus estimate. In the fitness examinations by appointing officers the record of the methods and of the tests of the several candidates is so exceptional that it may be said there is none kept, and as all the competitors are known to those who relatively mark their fitness, the marking is not impersonal and so is liable to the influences of favor or prejudice. When the merit list, as in most cases, is the result of similar examinations held at many points throughout the State, the call for a fitness examination at a single city—perhaps situated at one end of the State—involving an additional and expensive trip with doubtful chances of benefit, receives only a partial response and gives a great advantage to those living near the particular city. In this respect there is a serious impairment of the equal rights of the competitors. One of the first cases that illustrated the possibilities of the new law was the filling of a vacant clerkship in one of the State offices at the capitol. There were summoned to the fitness examination to be held under the exclusive direction of

this office the 147 persons, scattered about the State, whose names were on the proper merit list. Of these only 14 appeared, among whom was a man who had no expense of travel since he was then and had been for several years employed in the office in question, ostensibly as a laborer, but on duty as a clerk and receiving the pay of a clerk—an abuse that the Civil Service Commission had vainly striven to correct. During this period the laborer had entered several examinations for clerkships, but failed to reach a point where he could be certified for appointment. He was on the eligible list converted into a merit list under the new law in July last, and he stood in order of relative excellence the 112th on that list—in other words there were 111 competitors certified as more meritorious than he. There appeared in answer to the summons only 14 of the 147, and of these the laborer was the 11th in rank. There is no record of the nature of the fitness examination or of its details, but the known results are that all of the fourteen, except the pseudo-laborer, were marked below 35—the minimum point and, therefore, denoted as manifestly unfit—and the lucky man being marked 43.50 received an appointment in the office where he had labored so long in defiance of the spirit of the law at least. This example demonstrates several of the abuses now possible.

There are many other evidences that those that have obtained places on the merit lists decline to attend subsequent fitness examination at a distance, and that such disinclination is increasing. In the first fifty-three fitness examinations only an average of 30 per cent. of those on the merit lists attended, and in the last ten of these only 18 per cent. appeared. Under the previous rules only the three standing highest on the eligible list could be summoned before an appointing officer for his personal inquiry.

As a further illustration, a second case may be quoted where 36 candidates appeared and the 35th one on the merit list was appointed; in a third case where 63 appeared the 52d on the merit list was selected, and many other like cases are recorded. Of course, it is impossible to account clearly or satisfactorily for these great discrepancies in relative merit and fitness, since we only know how the former was estimated, but grave doubts regarding these estimates of fitness by appointing officers, or what is more general by their delegated subordinates, are suggested by some untoward experiences when the preparation of questions for a merit examination has been committed to the office in which occurs the vacancy to be filled.

Some insight into the character of fitness examinations held by appointing officers may be obtained from the recent report of the New York City Civil Service Commission, where the disclosure of a defiance of all respect for law, fairness and decency is as conspicuous as in many instances it is ludicrous.

It is manifest that in such examinations there is no reality or even semblance of that open fair competition contemplated by the Constitution.

It may be said on the other side that the law is tentative and should have a further trial, but this claim loses its force in view of the fact that the law restores to appointing officers a power the free exercise of which the experience of centuries condemns. If it were not such a question of radical principles but simply of applying such principles there might be good cause for further trial, but modification could at the best only mitigate the present known defects. It has been proposed to raise the standard of the examination to such a degree that only the absolute cream of the competitors would rise above the minimum point, thus re-

ducing the cumbersome merit lists and ensuring the appointment from the most capable. This would give irresistible strength to the old criticism that examinations are frequently too scholastic and exacting, while if the project were carried to its logical conclusion the area of selection would be reduced to three or less persons and the limitations of the old rules thus restored in a round-about-way. Another proposition is that the records of the fitness examinations shall be recorded as fully as those for merit, but this affords no relief from requiring the attendance of throngs of candidates at every test for fitness at an intolerable expense; and as the examiners are subordinates in the office where the vacancy is to be filled the same opportunity is afforded for "coaching" in advance favored competitors as has been detected when the questions for a merit examination have not been in the exclusive knowledge and charge of the Civil Service Commission and its selected agents. In brief, so long as appointing officers have any participation in the conduct of civil service examinations there will be danger that considerations other than those for the public weal may govern their results. I have faithfully endeavored to find some means whereby under your direction this danger could be averted by restrictive rules or other available means, but the defects in the law are inherent and so incurable by any device of administration.

The only effective remedy for these inherent defects is in my opinion a restoration of the previous law, since no possible circumsppection could detect abuses of the present clear opportunities for favoritism, and its consequent evils and denial of fair play to all, granted to so many distinct officers. I do not see how they could be effectively guarded against by the vigilance of this Commission, aided by that of all citizens, official or other-

18 REPORT OF THE NEW YORK CIVIL SERVICE COMMISSION:

wise, who desire to sustain the constitutional provision for the civil service, supplemented by your own purpose to punish, so far as you have the power, any infraction of that provision, in its letter or spirit.

Respectfully submitted,

SILAS W. BURT,

Civil Service Commissioner.

APPENDICES.

APPENDIX A.

CHIEF EXAMINER'S ANNUAL REPORT.

APPENDIX B.

STATISTICAL TABLES OF EXAMINATIONS.

APPENDIX C.

1. ORGANIZATION OF COMMISSION, EXAMINATION BOARDS, ETC.
2. TABLE SHOWING THE NUMBER OF POSITIONS CLASSIFIED IN EACH DEPARTMENT AND INSTITUTION.

APPENDIX D.

1. LIST OF APPOINTMENTS.
2. LIST OF DEATHS, PROMOTIONS AND TRANSFERS IN, AND REMOVALS AND RESIGNATIONS FROM, THE PUBLIC SERVICE, REPORTED SINCE THE LAST ANNUAL REPORT.

APPENDIX E.

1. AMENDMENTS TO CIVIL SERVICE CLASSIFICATION.
2. REQUESTS FOR CHANGES IN THE CIVIL SERVICE CLASSIFICATION, DENIED.
3. RULINGS OF THE COMMISSION.

APPENDIX F.

1. AMENDMENTS TO CITY REGULATIONS, APPROVED.
2. AMENDMENTS TO THE CIVIL SERVICE REGULATIONS OF THE POLICE DEPARTMENT OF THE CITY OF NEW YORK, APPROVED.
3. PROPOSED AMENDMENT TO THE CIVIL SERVICE REGULATIONS OF THE POLICE DEPARTMENT OF THE CITY OF NEW YORK, DISAPPROVED.

APPENDIX G.

CIVIL SERVICE REGULATIONS OF THE CITY OF ALBANY, BROOKLYN, ELMIRA, NEW YORK, POUGHKEEPSIE, ROCHESTER, SCHENECTADY, SYRACUSE, TROY AND YONKERS, APPROVED.

APPENDIX H.

1. OPINIONS OF THE ATTORNEY-GENERAL, 1897.
2. DECISIONS OF THE SUPREME COURT AND COURT OF APPEALS, 1897.

APPENDIX I.

CIVIL SERVICE STATUTES, RULES, CLASSIFICATION, REGULATIONS, ETC.

APPENDIX J.

SAMPLES OF EXAMINATION QUESTIONS.

APPENDIX K.

ROSTER OF STATE EMPLOYEES.

APPENDIX A.

Chief Examiner's Annual Report.

Chief Examiner's Annual Report.

ALBANY, N. Y., *December 31, 1897.*

The New York Civil Service Commission, Albany, N. Y.:

Gentlemen.—I have the honor to submit the following report of the civil service examinations held during the past year:

COMPETITIVE EXAMINATIONS.

The number of candidates appearing at competitive examinations during the past year is 3,218, a slight decrease from the number examined last year, but more than double the number examined in any of the preceding years. The decrease in the number examined is probably to be accounted for by the interim of about three months between the passage of the new Civil Service Law, providing for separate examinations for merit and fitness, and the first general examinations held under the new rules established pursuant to that law. From May 15th until July 1st there were no rules in force governing procedure under the new law, and it was not until August 5th that plans could be matured for holding the general examinations under the new rules. During the intervening period only such examinations were advertised and held as were imperatively needed, and the number examined was, therefore, comparatively smaller. The large examinations held in November, 1896, in all parts of the State, had provided large eligible lists for the most important positions, and this fact also had its effect in diminishing the number of examinations required during the early part of this year.

The number of separate competitive examinations held and reports made during the year is 131, of which 49 were held prior to May 15th under the old law and rules, and 82 were merit ex-

aminations under the new law and rules. The character of the merit examinations held under the new law and rules has been substantially the same as that of the competitive examinations held under the old law, as I have considered it to be the sense of the Commission and the import of the law that the fitness examination is meant to provide some new and additional tests to cover defects in the old system of examinations, rather than to change or modify the character of the examinations previously held. I have described in detail below some of the new examinations held during the year and also the more important changes in the schemes of examination. The provisions of section 3 of Rule XI for the formation of several eligible lists from the results of a single examination, have been applied in some cases. In particular, the clerkship examination has been made a basis for those of bookkeeper, deputy factory inspector, special excise agent, charities inspector, law clerk and statistician—the additional requirements in each case being suited to the special duties of the position, and special knowledge required for their performance. The character of the applicants is substantially the same as in previous years, and I have added to the tables heretofore published a table showing for each examination the statistics of the candidates as to birthplace, education and previous occupation.

FITNESS EXAMINATIONS.

The provision of the regulations for the duplication of the marks in the merit examination in cases where the appointing officer deems that such examination covered all the essential qualifications of the position, has proved a wise one and has been applied in case of the following eligible lists:

- Statistician, Bureau of Labor Statistics;
- Junior clerk, Regents Department;
- Superintendent, shoe industry, Sing Sing Prison;
- Assistant clerk, Sing Sing Prison (appointed by the Comptroller);
- Chemist, Department of Agriculture;
- Teacher, Thomas Orphan Asylum.

The only fitness examinations so far conducted by the Commission have been those for guards in the three State prisons. In these cases the merit examination had been modified by omitting the oral examination previously required, and I, therefore, deemed it proper to hold a fitness examination, covering the ground previously covered by this test. Such examinations were held at each of the prisons and the candidates examined orally as to their experience, general health, physical qualifications, habits and intelligence. Those candidates whose standing on the merit list was derived from the May and June examinations, in which the oral examination was included, were informed that they need not appear again for the fitness examination in case they consented to have the same mark for fitness as was given them in their oral examination. It is noticeable that a very large proportion of such candidates trusted to the mark previously given, and did not appear a second time, and it may also be remarked that substantially every other candidate on the merit list appeared at one or the other of the prisons for fitness examination, which is in somewhat striking contrast to some reports of fitness examinations held by appointing officers. The total number of candidates entitled to notice for the various fitness examinations conducted by appointing officers up to date has been 1946. Of these only 749 have appeared, or 38½ per cent. of those entitled to notice.

PROMOTION EXAMINATIONS.

The provisions of the rules in regard to promotions have been frequently applied by appointing officers, but in only one case has the Commission been called on to hold a promotion examination; that is, an examination in which the applicants were limited to those occupying positions in the next lower grade in the same office as the position to be filled. In several cases the persons already in the service have been promoted upon obtaining a place on the eligible list for a higher position, in advance of persons outside the service who may have obtained a higher rating in the examination. There are many lines of service in which the duties of the lower grade specially tend to fit the incumbent for promotion

to a higher grade, and in cases where the number of employes in the lower grade is considerable, competitive examinations for promotion will often be valuable. They furnish a basis on which appointing officers may freely select employes to be promoted without the charge of favoritism and without being compelled to appoint outsiders who have not the benefit of experience in the particular line of work required. The case in which a promotion examination was held was for law clerk in the Supreme Court, Kings county. Candidates were limited to the attendants in the same court. Eight of these attendants applied, of whom three were found qualified and five not qualified for promotion. The resulting eligible list was certified to the justices having the power of appointment and two of the three successful candidates were promoted. The examination set was exactly the same as would have been given for original appointment as law clerk.

EXAMINING BOARDS.

Pursuant to the direction of the Legislature that the examinations be held in all the cities of the State, I have caused examinations to be held in a large number of different cities and have established a number of new local examining boards for this purpose. We are prepared to hold competitive examinations on short notice in any of the following villages and cities: Albany, Amsterdam, Binghamton, Buffalo, Elmira, Geneva, Hornellsville, Ithaca, Jamestown, Malone, Middletown, New York Olean, Oneonta, Poughkeepsie, Rochester, Syracuse, Troy, Utica and Watertown. I am now planning general examinations to be held in several other cities and villages; among them, Auburn, Dunkirk, Fort Edward, Little Falls, Lockport, Newburgh, Ogdensburg, Oswego, Rome and Schenectady. These examinations will be held during the last of January, 1898. We will thus have covered within a year all the cities of the State except those which are located so near other larger cities as to be practically included with them. Of this class are Cohoes, Corning, Brooklyn, Yonkers, Watervliet and some others. In most cases they have trolley car connection with the larger city in which examinations are regularly held.

There are, I believe, only two exceptions; namely, Gloversville and Hudson, and these can probably be reached in the next general examination.

I think a further effort should be made to have section 3 of the original Civil Service Law amended so that the provisions for employes and examiners under the Commission shall be more nearly adequate to the work now performed. The provisions of the law as it stands have again been found inadequate and productive of much friction and dissatisfaction, besides placing upon the chief examiner a continual burden in the search for new examiners to replace those who have earned the whole compensation allowed by law and are unwilling to do further work until they can receive further pay.

EXAMINATIONS OF THE YEAR 1897.

I shall here note such of the competitive examinations as seem to require special mention. A table appended to the report gives a complete list of the competitive examinations held during the year.

The first large examination of the year was that for court positions in New York city. These included court attendants, janitors, record clerks, law clerks, court stenographers and interpreters. The examinations consumed four days; January 25th, 26th, 27th and 30th. Of these examinations, that for court stenographers is noticeable for the fact that we had in the examination practically all the candidates in New York city or Brooklyn who were competent to do court work, with the exception of those who already held official positions. Another examination held on November 20th for Supreme Court stenographer called forth, as we were informed, all the available material in the city. There were thirty-four candidates, seventeen of whom were found qualified. I have no hesitancy in saying that every one of the qualified persons would, so far as ability and experience goes, make a perfectly competent stenographer in a court of record.

In the January examination for interpreters the candidates were given their option of competing in any one of the following

languages: German, Spanish, Italian, French, Swedish and Hebrew Jargon, and separate eligible lists were made for the different languages. The examination consisted of written translation from printed copy and from dictation, both from the foreign language into English and from English into the foreign language, and also of an oral examination in which the candidates were required to translate matter dictated by the expert examiner from English into the foreign language and vice versa. Mr. Woodbridge of the Brooklyn Court Examining Board conducted a very careful examination of the character and experience of the applicants. A further examination for the position of Supreme Court interpreter in New York city was held December 4, 1897. In this examination candidates were required to qualify in all of the following languages: Italian, German, Hebrew Jargon, French and Spanish. It seemed at first very doubtful whether any candidate with all the qualifications would appear for examination. Of the thirteen candidates who were examined it was found that three had done fair work in all of the required languages and had passed with comparatively high averages. One or two of the others failed, only because they lacked entirely one or another of the required languages. I employed for this examination four experts; one for the German and Hebrew Jargon and one for each of the other languages, and took personal charge of the preparations, holding personal consultation with the examiners on several occasions before the examination. A thorough test was given the candidates in the French, Italian and Hebrew Jargon, by having present at the examination a native Frenchman, a native Italian and a Jew who could converse in the Jargon and not in German, and the candidates were required as part of the examination to converse with these persons in the presence of the examiners. In this way it was easy to distinguish the candidates who understood German and not Hebrew Jargon from those competent in both languages, and to test the knowledge of Italian dialects by actual practice.

An examination was held February 2d for the position of station editor and librarian at the Agricultural Experiment Sta-

tion at a salary of \$1,800 per annum and house rent. The examination covered natural sciences, French, German, editing and proof reading, cataloguing and indexing. From the successful candidates an appointment has been made which I am informed is very satisfactory to the authorities of the station.

An examination for chief clerk in the State Board of Charities was held on February 3d, the position seeming to require a knowledge of office work and affairs beyond that represented by our general list of clerks.

The examinations for draughtsmen, both engineering and architectural, have been extended from one day to two days of eight hours each, so as to give opportunity to the candidates to do a considerable amount of careful draughting in the examination in answer to set questions. This plan was pursued in the examinations of February 10th and 11th and August 27th and 28th. The results have been more satisfactory to the examiners than any that have been obtained in a one day's examination.

The cessation of contract labor in the State prisons necessitated the establishment of several new industries to supply the demands of the various State and municipal officers and boards. Competitive examinations were held on March 4th for superintendent of cabinet-making industry, superintendent of cloth-making industry and superintendent of printing industry; on April 22d for superintendent of the Goodyear shoe industry and on May 18th for foreman of the knitting industry, in the various prisons. In each of these examinations the questions related entirely to the experience and practical knowledge required for the position. They were prepared by experts in the various industries and the successful candidates appointed have proven satisfactory to all concerned.

On March 23d at Elmira and Albany was held an examination for telegrapher. The subjects of examination were the same as for clerks with the addition of a practical test in telegraphy. This test was conducted in Albany by the superintendent of the local Western Union office and in Elmira by the telegrapher at the Elmira Reformatory. The practical exercise consisted in

the sending and receiving of messages exactly as would be done in a telegraph office. From the resulting list several appointments have been made.

Three examinations have been held during the year for the position of assistant manual training instructor at the Elmira Reformatory, and one for a similar position at the State Industrial School. Although the requirement of residence in New York State was suspended by the Commission in each of these cases, it was necessary to repeat the examination before suitable candidates could be obtained. The supply of properly schooled instructors in these branches seems to be smaller than the demand.

On March 23d and 24th examinations were held for the positions of statistical clerk and inspector of teachers' training classes in the Department of Public Instruction. The examination for inspector covered all the subjects included in the uniform examinations of the department, especial weight being laid upon the history of education, school management and methods. The examination for statistical clerk was identical with the first day's examination for inspector, and covered spelling, arithmetic, algebra, grammar and composition, bookkeeping, civil government and school law.

In the examinations for stenographer and typewriter, in order to avoid the inconvenience resulting from the large number of declinations of appointment to low grade positions by those on the eligible list, we have held graded examinations. The candidates for the first grade (salary under \$600 per annum), being required to take dictation at ninety words per minute; for the second grade (salary \$600 to \$900 per annum), at 120 words per minute, and for the third grade (salary over \$900 per annum), at 150 words per minute. The bulk of the appointments in the State departments are made from the second grade list, and we have heard many compliments of the work done by the appointees from that list. The State institutions on the other hand pay lower salaries and take their stenographers from the first grade list. These persons although competent stenographers have not

as a rule had a great deal of experience and cannot be made so generally useful as those in the higher grades. In order that the dictation at the various places in these examinations shall be uniform, they have been conducted in person either by myself or Mr. Saxton, as I felt it would be unfair to candidates in different parts of the State to be tested by dictation of the different local examiners. The speed of ninety words per minute seems to be a high one for a minimum requirement, but it is found that a very large percentage of the candidates who have taken a thorough course in stenography and had a little actual office practice are able to write successfully at this speed when the dictation is careful and distinct. Examinations for stenographers were held in April and October in eleven cities of the State.

Examinations were held at the Elmira Reformatory on April 15th and 16th for director of trades schools, and on June 12th for director of schools. The trades schools and common English schools of the Reformatory are taught very largely by convict instructors, with the assistance of a few outside instructors employed by the hour. The two directors mentioned have charge respectively of the two kinds of schools and select the convict teachers and to a certain extent instruct them. Special attention was paid to the thoroughness of the education of candidates and to their experience as fitting them for the duties of the positions.

As soon as practicable, after the promulgation of the new rules on July 1st, arrangements were made for a general examination to be held in a large number of cities, to provide merit lists for as many as possible of the positions for which frequent demands are made. Nineteen cities were selected, covering the whole area of the State in such a way that no candidate should be more than fifty or sixty miles from an examination.

Examining boards were selected in each of the cities and villages and examinations were held on August 27th and 28th for thirty-four positions, for which we endeavor to keep standing eligible lists. The only important positions not covered were that of stenographer, the examination for which requires the

presence of an examiner from the office, and some local and special positions which can be held at any time in single cities. The resulting merit lists have proved sufficient for the requirements of appointing officers to date, and a large number of appointments have been made from them, and provision will be made for holding similar examinations in January to supplement those lists which are being depleted, and to provide such new ones as time has shown are necessary. In preparing for this examination, each appointing officer has been asked to suggest any examinations which he desires to have held for his department.

On September 9th, examinations were held for moulding instructor at the Elmira Reformatory and for Superintendent of the House of Refuge at Hudson. The former consisted wholly of practical questions, relating to the trade of moulding and the experience of the applicants. The latter covered experience, New York State geography and government, including questions relating to houses of refuge, letter writing, physiology and hygiene, sanitation and housekeeping.

Examinations were held on September 14th for instructor in bookbinding, and on October 30th for instructor in upholstering in the State Industrial School. In each case the questions were prepared by experts, and related to experience and technical knowledge.

The usual difficulty in securing sufficient eligibles for the medical positions in the State hospitals has been experienced, and numerous examinations have been found necessary for the positions of junior physician and medical interne. Such examinations were held in February, April, June, August and October, and further examinations have been advertised for January.

On October 23d an examination, the first of its kind, was held for building inspectors on contract work in the Department of the State Architect. The examination was prepared by the chief of the inspection force in the bureau of buildings in New York city, with the assistance of the head draughtsman in the office of the State Architect, and many of the candidates were architects of a high grade.

On December 11th was held an examination for the position of tax clerk in the office of the Attorney-General covering the experience of candidates, general legal knowledge and special legal knowledge of tax laws and land titles, including the regularity and validity of assessments, tax sales and conveyances. The number of candidates was small, but a large percentage were well qualified.

On December 28th an examination was held at Albany, Syracuse and Plattsburgh for the position of inspector of schools in the examination department of the University of the State of New York. Eleven candidates were present, many of whom had long experience in public school work. The subjects of examination were experience, history of education and school economy.

Continued effort has been made in all cases of new examinations to adapt the subject matter of the examination to the duties of the position, and to test so far as possible the capacity of candidates for the work they were to undertake. Considerations of age, personal character and physical ability have, however, been left almost entirely to the fitness examination. It would be possible to take up these matters more thoroughly if special examiners could be employed to deal with, and the results of our examinations would no doubt be fortified by such a course. Unless such tests are very thoroughly and carefully conducted, however, they do not add much to the value of the examination reports and are particularly open to criticism.

CLASS III EXAMINATIONS.

The non-competitive examinations for positions in Class III have been continued on the lines pursued heretofore. There is a great difference among the various local boards conducting these examinations, in the standard maintained. In some institutions the examinations are carefully conducted and considerable effort is made to adapt the examinations to the requirements of the various positions to be filled. In many cases, however, the work is performed by the local boards in a perfunctory manner and the examinations are comparatively worthless as a means of de-

termining or comparing the qualifications of applicants. The scrutiny of candidates and the inquiry into their character and physical condition is no doubt more complete than the returns of the examiners to the Commission indicate, but on the whole the system as now administered is of very little value for the purposes for which civil service examinations were instituted. I believe that the schedule of positions in Class III should have a thorough revision and that the method of treating these positions should be completely reorganized. The Commission has power, under section 1 of Rule XX, to transfer positions from this class to Class II "whenever it shall be determined that a competitive examination therefor is practicable." This has already been done in the case of the position of storekeeper, and I think should be done also in the case of many other positions, such as the foremen and examiners in the manufacturing departments of the State prisons, all the employes of the Onondaga Salt Springs, and the firemen in all State institutions. Many of the attendants and officers having direct contact with the inmates of the various State institutions might also properly be subjected to competitive examination. In all the cases mentioned, the compensation is as high or higher than that given many persons now appointed from competitive examination, and the duties are such as to furnish a sufficient basis for a competitive examination. Although the money compensation in many cases is apparently small, it is to be remembered that most of these employes receive maintenance at the expense of the State, which is equivalent to an addition of about \$200 per annum to the money compensation. The advantage to be gained by placing such positions in the competitive class would be that they would be thrown open to all applicants, and many competent persons would probably apply for them who now think they have no chance of appointment. The examinations for similar positions would be made uniform in the various institutions, and the friction between appointing officers and the Civil Service Commission, which now frequently arises over the appointment of persons to positions in Class III and their assignment to duties cov-

ered by the examinations held for Class II, would be lessened. For another class of positions, mainly those of skilled workmen, a scheme somewhat similar to the labor registration system in force in many of the cities might properly be put in force. Candidates who satisfy the requirements of experience and skill should be placed upon the waiting list in the order of their application, and such list be treated as the merit list from which selections could be made by the head of the institution. In this way applications could be received at all times and there would be an opportunity for the investigation of the candidate's character and proficiency before placing his name on the list.

COURT DECISIONS.

Several points of immediate interest to the Commission have been decided by the courts during the past year. In the case of *Van Petten v. Cobb*, the question was as to the power of the Civil Service Commission to strike from the eligible list the name of a veteran who had passed the examination but was afterwards shown by the appointing officer interested to be physically very feeble and properly unfit to perform the duties of the position for which he was examined. It was decided that a name could not be so stricken from the list, at any rate not without notice to the candidate and an opportunity offered him to appear before the Commission. The court further said that the proper remedy for any mistake in placing a name on the eligible list is the probationary appointment. Following this came the decision in the case of *Sweet v. Lyman*, in which the relator Sweet, a war veteran, had been removed from the position of special agent in the department of excise during the probationary term of appointment without a hearing. Chapter 821 of the Laws of 1896, provides that no veteran "holding a position" in the service of the State or any political division thereof can be removed from such position except for cause and after a hearing upon notice of the charges. It was held by the Supreme Court that a veteran during the term of his probationary appointment was not "holding a position" within the meaning of this statute, and that he

could during that period be removed without notice or a hearing. The court in this case seems to have followed out the theory laid down in the Van Patten case, that the probationary term is the proper remedy for mistakes in placing names upon the eligible list.

In the case of *Chittenden v. Wurster*, the effect of the provisions of the Constitution of 1894 upon the existing Civil Service legislation was considered in all its phases. The decision of the Court of Appeals reversing the lower courts really turned upon the form of action brought, deciding that a taxpayer's action could not be maintained under the circumstances in the case. The court, however, discussed at length the meaning of the constitutional provision that appointments are to be made by competitive examination "so far as practicable." The language used in regard to the so called confidential positions is very broad, and the court intimates, although it does not actually decide, that all classes of positions which bring the incumbent into more or less confidential relations with his chief were not intended to be subject to competitive examination; in fact it would be possible within the language of this decision to assign to almost any subordinate some duties which would render his position a confidential one. It may be said, however, that all this discussion of the court is outside the case, as it was not upon these principles that the case was decided, and in an actual case before it, the court might not be willing to go as far in authorizing exemptions as its language in this case seems to indicate.

The question of demarcation between the Civil Service of the State and that of the cities and other political divisions has been before the courts in two cases. In the case of *Sears v. Tobey*, the question was whether the clerk to the police justice of the city of Syracuse, who is also clerk of the police court, was in the Civil Service of the State or of the city. The position had been classified by the city Civil Service Commission as belonging to the city service. The State classification covered this position only under the general heading of "The Courts," but it had always been considered that all the courts were part of the State judiciary system

and, therefore, under the jurisdiction of the State Civil Service Commission. Under the city classification the position was subject to competitive examination, and the relator was a veteran who had qualified in such examination. The Court of Appeals affirming the decisions of the lower courts held that the position belonged to the city Civil Service and not to that of the State, and that the relator being the only veteran on the eligible list furnished by the city Civil Service Commission, was entitled to the appointment under its rules.

Another phase of this question arose in the case of Williams v. Worth. The relator Williams, had been examined by the State Civil Service Commission for the position of assistant county clerk of Kings county on the nomination of the judges of the county court. Having failed in such examination, certification of his appointment to the comptroller of Brooklyn was refused, and the comptroller declined to pay his salary. The cases of three other appointees were exactly similar. The four appointees made application to the court for a writ of mandamus to require the county clerk, Jacob Worth, to allow them to continue to perform the duties of the position, and raised the issue that the positions were in the county service and not subject to the jurisdiction of the State Civil Service Commission nor to that of the city of Brooklyn. The court granted the writ, sustaining the claim of the four appointees.

Following these decisions of the courts, the Attorney-General was asked for his opinion in regard to the employees of the surrogate of Kings county and those of the city court and court of general sessions in the city of New York, and in each case decided that such employees were not in the State service, but that those of the city court and the court of general sessions belong to the civil service of the city of New York and should be classified by the local civil service commission. Following these decisions the secretary has stricken from the roster of State employees the names of all persons connected with the minor civil and criminal courts in the several cities, the county and surrogate's courts of Kings county and the city court and the court of general sessions of New York.

A portion of these positions have been classified by the New York city civil service commission. These decisions have removed a perpetual source of contention and have placed the jurisdiction over the positions involved in the hands of those who can most readily and satisfactorily administer it. The text of these opinions along with such others as have been given affecting civil service questions, will be found printed in full in the appendix of the report.

APPENDICES.

There have been added to the appendices published in previous reports, the following: a table of statistics of the candidates entering competitive examinations during the past year, as to their birthplace, education, previous occupation, age, etc.; a table showing the results of the various competitive examinations conducted under the new civil service law, and a table showing the approximate number of positions in the various classes in each department and institution, as reported to his commission. The other statistical information contained in the appendices of previous reports has been repeated in substantially the same form.

Respectfully submitted,

CHARLES S. FOWLER,

Chief Examiner.

APPENDIX B.

Statistical Tables of Examinations.

LIST OF COMPETITIVE EXAMINATIONS, 1897.
1. EXAMINATIONS UNDER OLD RULES PRIOR TO MAY 15.

Date of examination.	Date of report.	KIND OF EXAMINATION.	Number passed.	Number failed.	Total number examined.	Examination held at—
Jan. 14	Jan. 15	Court crier.....	4	3	7	Syracuse.
25	March 10	Court janitor.....	4	6	10	New York city.
26	Feb. 10	Court attendant.....	117	33	150	New York city.
26	March 15	Court record clerk.....	34	14	48	New York city.
26	March 20	Court law clerk.....	18	5	23	New York city.
27	Feb. 17	Court stenographer.....	13	9	22	New York city.
30	March 30	Court interpreter:				
30	March 30	General.....	3	1	4	New York city.
30	March 30	German.....	8	21	29	New York city.
30	March 30	Spanish.....	.....	4	4	New York city.
30	March 30	Swedish.....	3	3	6	New York city.
30	March 30	French.....	9	8	17	New York city.
30	March 30	Hebrew jargon.....	7	13	20	New York city.
30	March 30	Italian.....	6	5	11	New York city.
		Total, January.....	226	125	351	
Feb. 2	Feb. 9	Editor and librarian, Agricultural Experiment Station, Geneva.....	4	2	6	Albany, Buffalo, and New York city.
3	Feb. 12	Chief clerk, State Board of Charities ..	2	5	7	Albany.
4	Feb. 13	Junior physician.....	13	2	15	Albany.
4	Feb. 27	Medical interne.....	5	.....	5	Albany.
10-11	Feb. 23	Engineering draughtsman.....	7	11	18	Albany and Syracuse.
12	March 6	Instructor in care and firing of boilers, State Industrial School, Rochester....	4	8	12	Rochester.

13	Feb.	23	Regents examiner, English.....	3	18	21	Albany.
24	March	11	Inspector of public works.....	80	57	137	Buffalo, Rochester, Syracuse, Utica.
25	Feb.	27	Registrar of vital statistics, city of Auburn.....	8	4	12	Auburn.
			Total, February.....	126	107	233	
March	March	8	Expert penman.....	7	12	19	Albany.
4		12	Superintendent cloth making industry.....	2	.....	2	Albany.
4		13	Superintendent cabinet industry.....	4	1	5	Albany.
4		12	Superintendent printing industry.....	3	2	5	Albany.
9		20	Milk expert, Department of Agriculture.....	3	10	13	Corning.
9		20	Vinegar expert, Department of Agriculture.....	.....	4	4	Corning.
22-23		26	Manual training instructor, Elmira Reformatory.....	.....	1	1	Elmira.
23		25	Telegrapher.....	6	4	10	Elmira and Albany.
23	April	5	Statistical clerk, Department of Public Instruction.....	6	21	27	Albany.
23-24		5	Inspector of teachers' training classes, Department of Public Instruction.....	9	15	24	Albany.
24		27	Junior clerk.....	24	5	29	Albany.
			Total, March.....	64	75	139	
Apr.	Apr.	3	Milk expert, Department of Agriculture.....	6	11	17	Watertown.
3		14	Butter expert.....	1	4	5	Watertown.
3		14	Cheese expert.....	3	9	12	Watertown.
Mch. 27	May	4	Stenographer, 1st grade.....	96	100	196	Albany, Binghamton, Buffalo.
Apr. 3, 10, 16		4	Stenographer, 2d grade.....	48	30	78	Elmira, New York, Plattsburg.
17 & 24..		4	Stenographer, 3rd grade.....	18	11	29	Rochester, Syracuse, Watertown.
May 1	Apr.	22	Medical interne.....	18	4	22	Albany, Buffalo, New York, Syracuse.
Apr. 10		23	Woman physician.....	4	.....	4	Albany.
10	May	5	Junior physician.....	24	2	26	Albany, Buffalo, New York, Syracuse.

LIST OF COMPETITIVE EXAMINATIONS, 1897 — UNDER OLD RULES PRIOR TO MAY 15 — (Continued).

Date of examination.	Date of report.	KIND OF EXAMINATION.	Number passed.	Number failed.	Total number examined.	Examination held at—
Apr. 10	Apr. 12	Assistant at Agricultural Experiment Station, Jamaica.....	3	4	7	Jamaica.
15-16	21	Director of trades schools, Elmira Reformatory.....	3	4	7	Elmira.
19	27	Guard, Clinton Prison.....	17	28	45	Danmemora.
22	27	Superintendent Goodyear shoe industry, Sing Sing Prison.....	3	.....	3	Sing Sing.
23	27	Medical stenographer, Pathological Institute.....	2	.....	2	New York city.
23	27	Pathological clerk, Pathological Institute.....	2	.....	2	New York city.
		Total, April.....	248	207	455	

LIST OF COMPETITIVE EXAMINATIONS, 1897 — (Continued.)
 2. MERIT EXAMINATIONS UNDER CHAPTER 428, LAWS OF 1897.

Date of examination.	Date of report.	KIND OF EXAMINATION.	Number passed.	Number failed.	Total number examined.	Examination held at—
May 18	May 18	Sloyd instructor, Craig Colony.....	1	.....	1	Albany.
18	18	Superintendent knitting industry, Clinton Prison	2	.....	2	Albany.
25, 26, 27	June 2	Guard, Auburn Prison.....	77	52	129	Auburn.
		Total, May.....	80	52	132	
June 12		Director of schools, Elmira Reformatory	5	2	7	Elmira.
17-18	July 6	Regents examiner:	3	1	4	
17-18	6	Economics	1	.....	1	
17-18	6	History, Greece and Rome .....	.....	5	5	
17-18	7	History, United States, and civics..	.....	2	2	
17-18	7	Mathematics	1	1	2	
17-18	7	Astronomy .....	.....	1	1	
17-18	7	Physical geography .....	.....	.....	.....
17-18	7	Botany, zoology, physiology and hygiene	5	.....	5	
17-18	7	Latin	6	.....	6	
17-18	7	Greek	2	1	3	
17-18	7	German	4	2	6	
17-18	1	French.....	1	.....	1	
17-18	7	English literature	1	3	4	
17-18	7	English language	2	12	14	
17-18	21	Drawing.....	.....	3	3	
22	June 23	Guard, Sing Sing prison.....	17	13	30	Sing Sing.
26	30	Inspector, State Board of Charities.....	30	14	44	Albany, New York and Rochester.

Adams Center, Albany, Catskill, Freeport, Fultonville, Glens Falls, Greenwich, Knowlesville, New York, Plattsburg, Poughkeepsie, Troy, Utica, Waterville, Watervliet.

LIST OF COMPETITIVE EXAMINATIONS, 1897—MERIT EXAMINATIONS UNDER CHAPTER 428, LAWS OF 1897—(Cont'd).

Date of examination.	Date of report.	KIND OF EXAMINATION.	Number passed.	Number failed.	Total number examined.	Examination held at—
June 26	July 25	Medical interne	3	1	4	Albany.
26	August 26	Medical interne (homeopath).....	1	.....	1	Albany.
26	26	Junior physician (homeopath).....	1	.....	1	Albany.
		Total, June	85	61	146	
July 2-3	July 13	Assistant chemist, Agricultural Experiment Station, Geneva	3	4	7	Albany, Buffalo and Geneva.
23	26	Library assistant, State library	2	.....	2	Albany.
24	31	Associate in comparative neurology, Pathological institute.....	1	.....	1	New York.
		Total, July.....	6	4	10	
Aug. 13	Aug. 17	Teacher, State Institution for Feeble-Minded Women, Syracuse	3	1	4	Syracuse.
19	20	Assistant matron, State School for Blind, Batavia	11	.....	11	Batavia.
27	8	Apothecary.....	6	3	9	
27	14	Milk expert, Department of Agriculture	6	36	42	
27	14	Butter expert.....	2	4	6	
27	14	Cheese expert.....	.....	7	7	
27	16	Vinegar expert.....	3	2	5	
27	19	Chemist, Department of Agriculture.....	1	4	5	
27	24	Woman physician	3	.....	3	
27	24	Junior clerk	23	20	43	
27	28	Teacher, State institutions	14	6	20	
28	5	Assistant electrical engineer	12	3	15	
27	5	Woman physician (homeo.)	1	.....	1	
28	4	Electrical engineer.....	9	8	17	

All examinations of August 27 and 28 were held at Albany, Amsterdam, Binghamton, Brooklyn, Buffalo, Geneva, Hornellsville, Ithaca, Jamestown, Kingston, Middletown, New York, Oneonta, Plattsburg, Rochester, Syracuse, Troy and Utica.

27	Sept.	30	Clerk	340	201	541	
27	Oct.	5	Bookkeeper	36	32	68	
27		5	Deputy factory inspector	33	50	83	
27		18	Court law clerk	10	9	19	
27		14	Special agent, Department of Expose	35	53	88	
27	Sept.	4	Statistician	2	16	18	
27-28		28	Engineering draughtsman	2	2	4	
27-28	Oct.	5	First assistant physician	9	1	10	
27-28		19	Hospital superintendent	5	2	7	
27		11	Medical interne	7	1	8	
27		30	Junior physician	14	3	17	
28	Sept.	9	Chainman	96	107	203	
27-28		9	Architectural draughtsman	3	2	5	
28		21	Steam engineer	20	13	33	
28		24	Assistant steam engineer	28	6	34	
28		28	Prison guard	34	37	71	
28		28	Reformatory guard	23	.....	23	
28		28	Court attendant—messenger	148	45	193	
28	Oct.	12	Matron	11	4	15	
28		5	Inspector public works	67	99	166	
28		11	Assistant (civil) engineer	32	13	45	
28	Nov.	22	Leveler	32	19	51	
28		22	Rodman	36	70	106	
			Total, August	1,117	879	1,996	
9	Sept.	13	Superintendent, House of Refuge for Women, Hudson	7	5	12	Albany, Rochester, Syracuse.
9		25	Instructor in moulding, Elmira Reformatory	7	5	12	Albany, Elmira, Rochester, Syracuse
14		20	Instructor in bookbinding, Rochester Industrial school	3	1	4	Albany and Rochester.
			Total, September	17	11	28	

LIST OF COMPETITIVE EXAMINATIONS, 1897 — MERIT EXAMINATIONS UNDER CHAPTER 426, LAWS OF 1897 — (Con).

Date of examination.	Date of Report.	KIND OF EXAMINATION.	Number passed.	Number failed.	Total number examined.	Examination held at —
Oct. 7, 9, 14, 16, 21, 21, 23, 23, 23, 30	Nov. 3, 3, 3, Oct. 30, 27, 23, 23, 11, Nov. 1	Stenographer, 1st grade..... Stenographer, 2nd grade..... Stenographer, 3rd grade..... Medical interne (Homeopath)..... Manual training instructor..... Page..... Building inspector..... Instructor in upholstering, Rochester Industrial School..... Total, October.....	79 45 11 2 2 5 24 3 171	46 8 5 1 25 85	125 } 53 } 16 } 2 3 5 49 3 256	Albany, Binghamton, Buffalo, Elmira, Malone, New York, Rochester, Syracuse, Utica. Albany, Middletown. Albany, Rochester. Albany. Albany, Elmira, Rochester, New York, Syracuse, Utica. Albany, Rochester.
Nov. 20, 23	Nov. 27, 26	Court stenographer..... Kindergartner, State School for the Blind, Batavia..... Total, November.....	17 2 19	17 17	34 2 36	New York. Batavia.
Dec. 4, 11, 11, 23	Dec. 13, 20, 22, Jan. 19	Court interpreter..... Assistant manual training instructor..... Tax clerk, Attorney-General's office..... Inspector of schools..... Grand total.....	3 2 5 5 15 2,174	9 2 6 17 1,640	12 2 7 11 32 *3,814	New York. Albany. Albany, Buffalo, Syracuse. Albany, Plattsburg, Syracuse.

* Less duplicates 2,587.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, BIRTH-PLACE AND PREVIOUS OCCUPATION.

KIND OF EXAMINATION AND DATE.	Apothecary, August 27.			Assistant, Agricultural Experiment Station, April 10.			Assistant (civil) engi- neer, August 28.			Associate in comparative neurology, July 24.			Bookkeeper, August 27.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. Birthplace:															
New York State.....	5	3	8		2	5	19	10	29				23	27	52
Other parts of United States.....	1	1	2	2	2	4	10	2	12	1			8	4	12
Foreign countries.....							3	1	4				3	1	4
2. Previous occupation:															
Professional.....					1	1	29	12	41						
Teachers.....										1			4	2	6
Students.....	1		1										1	4	5
Public officials.....															
Clerks, bookkeepers, etc.....													22	16	38
Merchants, salaried, etc.....													3		3
Mechanics and laborers.....	5	3	8		1	1	2	1	3					1	1
Farmers and domestics.....				2	1	3							2	6	8
Miscellaneous.....							1	1	1				1	1	2
Unemployed.....				1	1	2							3	2	5
3. Education:															
Common school.....					2	4	5	1	6				6	5	11
Business college*.....													7	12	19
Academic.....	2	3	5	1	1	2	7	2	9				20	14	34
College.....					1	1	10	6	16				3	1	4
Professional school.....							10	4	14						
Total examined.....	6	3	9	3	4	7	32	13	45				36	32	68
Average.....	24	39	29	36	34.3	34.4	35.7	31.8	34.4	28			30.5	38.1	31.7
Number of "veterans".....							12	7	22				2	2	4
Previously in civil service.....	1		1				15								
Absentees.....															
Total notified.....			10			8				1					

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC. — (Continued).

KIND OF EXAMINATION AND DATE.	Building inspector, October 23.			Butter expert, April 3.			Butter expert, August 27.			Chalmers, August 23.			Cheese expert, April 3.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. Birthplace:															
New York State.....	18	15	33	1	4	5		4	4	84	93	177	2	8	10
Other parts of United States.....	4	2	6					3	3	7	7	14	1	1	1
Foreign countries.....	3	7	10							5	7	12	1		1
2. Previous Occupation:															
Professional.....	8		8							1		1			
Teachers.....								1	1	3	1	1			
Students.....										11	1	13			
Public officials.....															
Clerks, bookkeepers, etc.....	1		1							15	11	26		1	1
Merchants, salesmen, etc.....		1	1					2	2	9	8	17			
Mechanics and laborers.....	13	19	32							20	40	60			
Farmers and domestics.....					4	5		2	2	13	10	23	3	8	11
Miscellaneous.....	3	3	6					1	1	13	25	41			
Unemployed.....		1	1					1	1	8	11	19			
3. Education:															
Common school.....	8	17	25		1	1		4	4	37	79	116	2	3	5
Business college.....															
Academy.....	8	5	13		2	2		2	2	48	25	73		6	6
College.....	2	1	3		1	2		1	1	9	2	11	1		1
Professional school.....	7	1	8							2	1	3			
Total examined.....	24	25	49	1	4	5		7	7	96	107	203	3	9	12
Average age.....	37.4	43.9	40.8	35	39.7	39		34.5	34.5	26.6	31.5	29.2	36.3	44	43
Number of "veterans".....			3					1	1		1	1		2	2
Previously in civil service.....			3					1	1		2	2			
Absentees.....															
Total notified.....												364			503

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC. — (Continued).

KIND OF EXAMINATION AND DATE.	Cheese expert, August 25.			Chemist, Department of Agriculture, August 27.			Chemist (Assistant), Agricultural Experiment Station, July 2.			Chief Clerk, Board of Charities, February 3.			Clerk, August 27.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. <i>Birthplace:</i>															
New York State	1	3	4	1	2	4	1	4	4	2	4	6	277	157	434
Other parts of United States	1	1	2			1	3	3			1	1	34	15	49
Foreign countries													29	29	58
2. <i>Previous occupation:</i>															
Professional				1	2	3	1	1	2				24	1	25
Teachers				2	2	2	2	1	3				38	3	41
Students	2		2										14	3	17
Public officials													5	2	7
Clerks, bookkeepers, etc.										1	3	4	113	56	169
Merchants, salesmen, etc.		3	3							1		1	39	32	71
Mechanics and laborers													25	47	72
Farmers and domestics							1	1	1				18	16	34
Miscellaneous		1	1							2	2	2	34	24	58
Unemployed							1	1	1				30	17	47
3. <i>Education:</i>															
Common school	2	4	6		1	1		1	1				101	184	285
Business college*															
Academy										2	2	4	174	62	236
College				1	3	4	3	3	6	3	3	3	54	5	69
Professional school													11		11
Total examined	2	4	6	1	4	5	2	4	7	2	5	7	240	201	541
Average age	30.5	36.2	34.3	23	23.2	23.1	23	29.5	24.7	43	28.6	39.9	32.4	37.3	34.2
Number of "veterans"		1	1								1	1	21	19	40
Previously in civil service										1		1	16	4	20
Absentees	2		2												
Total notified												8			

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Clerk (Pathological), Pathological Institute, April 23.			Court attendant, Janu- ary 23.			Court attendant, mes- senger, August 28.			Courtier, Syracuse, January 18.			Court interpreter, French, January 30.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. Birthplace:															
New York State.....	2		2	77	23	99	106	32	138	4	3	7	1	2	3
Other parts of United States.....				13	2	15	20	5	25						
Foreign countries.....				27	9	36	22	8	30				8	6	14
2. Previous occupation:															
Professional.....							1		1				1		1
Teachers.....				1		1	4		4				1	2	3
Students.....				1		1	4		4				1		1
Public officials.....				6		6	5		5						
Clerks, bookkeepers, etc.....				48	7	55	47	7	54						
Merchants, salesmen, etc.....				27	6	33	23	6	29	2		1	1	4	5
Mechanics and laborers.....	1		1	20	12	32	21	13	34						
Farmers and domestics.....							3	2	5						
Miscellaneous.....				9	6	15	30	10	40				5	2	7
Unemployed.....				5	1	6	12	4	16			1			
3. Education:															
Common school.....				87	27	114	120	40	160	1	3	4	1	5	6
Business college*.....															
Academic.....	1		1	25	6	31	27	5	32	3		8	3	1	4
College.....	1		1	5		6	1		1				5	2	7
Professional school.....															
Total examined.....	2		2	117	33	150	148	45	193	4	3	7	9	8	17
Average age.....	33		33	35	39	36.6	36.8	39.3	37.4	45.6	54	49	44	39	41.7
Number of "veterans".....				13	7	20	20	5	35	2	3	5	5	1	1
Previously in civil service.....				1		1	8	2	11	1		1	2		2
Absentees.....															
Total notified.....												10			

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Court Interpreter, Ger- man, January 30.			Court Interpreter, Hebrew Jargon, January 30.			Court Interpreter, Ital- ian, January 30.			Court Interpreter, Spanish, January 30.			Court Interpreter, Swe- dish, January 30.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. Birthplace:															
New York State.....	1	4	5	2	2	4									
Other parts of United States.....	1	1	2												
Foreign countries.....	6	17	23	5	11	16	3	5	11		4	4	3	3	6
2. Previous occupation.															
Professional.....	2	2	4	1		1									
Teachers.....	2	2	4	2	2	4	1	2	3						
Students.....															
Public officials.....	3	3	6	2		2									
Clerks, bookkeepers, etc.....	1	1	2	1	1	2	1	1	2		1	1	1	1	1
Mechanics, salesmen, etc.....	8	8	16	1	5	6	1	1	2						
Mechanics and laborers.....	1	1	2	1	1	2							1		1
Farmers and domestics.....															
Miscellaneous.....	3	6	9	3	2	5	4	2	6		3	3	2	1	3
Unemployed.....															
3. Education:															
Common school.....	2	8	10	2	6	8	1	1	2				2	1	3
Business college.....															
Academic.....	1	6	7	3	2	5	2	1	3		1	1		2	2
College.....	5	7	12	2	4	6	3	3	6		3	3	1		1
Professional school.....															
Total examined.....	8	21	29	13	20	33	6	5	11		4	4	3	3	6
Average age.....	47	44.6	45.3	39	44.3	42.5	40.5	45.6	42.8		52.5	52.5	39	46.7	43
Number of "veterans".....	1	2	3	1	1	2		2	2		1	1	1	1	2
Previously in civil service.....	2	2	4	1	1	2	1	2	3		1	1	1		1
Absentees.....															
Total notified.....															

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Court interpreter, December 4.			Court janitor, January 25.			Court law clerk, January 26.			Court law clerk, August 27.			Court record clerk, January 28.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. Birthplace:															
New York State.....				4	3	7									
Other parts of United States.....					2	2							21	13	34
Foreign countries.....	3	9	12		1	1							6	1	8
2. Previous occupation:															
Professional.....															
Teachers.....		2	2				8	1	9				2		2
Students.....													4		4
Public officials.....							3		3				2		2
Clerks, bookkeepers, etc.....		1	1				6	3	9						
Merchants, salesmen, etc.....													19	9	28
Mechanics and laborers.....					4	5							4	2	6
Farmers and domestics.....					1									1	1
Miscellaneous.....	3	5	8		2	4		1	2						
Unemployed.....							1						3	2	5
3. Education:															
Common school.....				4	5	9							15	10	25
Business college*.....															
Academic.....	6	6	12		1	1		3	5				8	3	11
College.....	3	3	6				15		15				11	1	12
Professional school.....															
Total examined.....	2	9	12	4	6	10	18	5	23				34	14	48
Average age.....	41.6	40.3	40.7	38.6	43.3	41.4	27.9	32.8	24.6	30.4	30.2	30.3	32.5	30.3	32
Number of "veterans".....				1	2	3								2	
Previously in civil service.....													9		
Absenters.....															
Total notified.....															

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Court stenographer, January 27.			Court stenographer, November 20.			Director of schools, El- mira Reformatory, June 12.			Director trade schools, Elmira Reformatory, April 15, 16.			Draughtsman, archi- tectural, August 27, 28.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. <i>Birthplace:</i>															
New York State.....	7	5	12	13	12	25	3	2	5						
Other parts of United States.....	4	2	6	3	1	3	2		2	3	2	5	2	2	4
Foreign countries.....	2	2	4	2	4	6						1	1		1
2. <i>Previous occupation:</i>															
Professional.....															
Teachers.....							4		4			3			
Students.....							1	1	2			1			
Public officials.....															
Clerks, bookkeepers, etc.....	13	9	22	17	17	34									
Mechanics, salesmen, etc.....															
Mechanics and laborers.....												2	3	2	5
Farmers and domestics.....												1	1		
Miscellaneous.....								1	1						
Unemployed.....															
3. <i>Education:</i>															
Common school.....	7	7	14	9	4	13							2	1	3
Business college *.....															
Academy.....	5	2	7	5	11	16	2	1	3		3	8		1	1
College.....	1		1			1	3	1	4		3	4		1	
Professional school.....						4									
Total examined.....	13	9	22	17	17	34	5	2	7		3	4	3	2	5
Average age.....	36.5	32.2	34.8	35.2	31.2	33.2	30.8	28.5	30	25.7	35.5	31.3	24	23.5	23.8
Number of "veterans".....															
Previously in civil service.....						3									
Absentees.....	6	3	9	2	1	3									
Total notified.....															8

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Draughtsman, engi- neering, February 10, 11.			Draughtsman, engi- neering, August 27.			Editor and librarian, Agr. Exp. Sta., Feb- ruary 2.			Electrical engineer, August 28.			Electrical engineer, assistant, August 28.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. <i>Birthplace:</i>															
New York State.....	6	11	17	2	2	4	1	1	1	6	6	12	12	1	13
Other parts of United States.....	1	.....	1	.....	.....	.....	3	1	4	2	1	3	.....	1	1
Foreign countries.....	.....	.....	.....	.....	.....	.....	.....	1	1	1	.....	2	.....	1	1
2. <i>Previous occupation:</i>															
Professional.....	7	6	13	.....	1	1	1	1	1	.....	.....	.....	1	.....	1
Teachers.....	.....	.....	.....	.....	.....	.....	1	1	2	.....	.....	.....	.....	.....	.....
Students.....	.....	4	4	.....	.....	.....	.....	.....	.....	.....	1	1	3	.....	3
Public officials.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....
Clerks, bookkeepers, etc.....	.....	.....	.....	.....	1	1	.....	.....	.....	.....	1	1	.....	.....	.....
Mechanics, workmen, etc.....	.....	.....	.....	.....	.....	2	.....	.....	.....	8	5	13	5	3	8
Mechanics and laborers.....	.....	.....	.....	.....	.....	.....	1	.....	1	.....	.....	.....	.....	.....	.....
Farmers and domestics.....	.....	1	1	.....	.....	.....	1	.....	2	1	1	2	1	.....	1
Miscellaneous.....	.....	.....	.....	.....	.....	.....	.....	1	1	.....	.....	.....	2	.....	2
Unemployed.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3. <i>Education:</i>															
Common school.....	1	1	2	1	2	3	.....	.....	.....	3	5	8	4	3	7
Business college.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Academic.....	.....	1	1	.....	.....	.....	.....	.....	.....	2	2	4	4	.....	4
College.....	6	9	15	.....	.....	.....	4	2	6	4	1	5	3	3	3
Professional school.....	.....	.....	.....	1	.....	1	.....	.....	.....	.....	.....	.....	1	.....	1
Total examined.....	7	11	18	2	2	4	4	2	6	9	8	17	12	3	15
Average age.....	25	26.5	26	28	28.5	28.3	30.5	26.5	29.2	27.6	28.1	27.8	24.8	27.7	25.4
Number of "veterans".....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Previously in civil service.....	3	2	5	.....	.....	.....	.....	.....	.....	2	5	7	.....	2	2
Absentees.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total notified.....	.....	.....	.....	.....	.....	4	.....	.....	6	.....	.....	.....	.....	.....	.....

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Expert penman, March 3.		Factory inspector, de- puty, August 27.		Foreman, knitting in- dustry, May 18.		Guard, Auburn prison, May 25.		Guard, Clinton prison, April 19.	
	Passed.	Failed.	Passed.	Failed.	Passed.	Failed.	Passed.	Failed.	Passed.	Failed.
1. <i>Birthplace:</i>										
New York State.....	6	10	29	37	1	1	68	43	15	24
Other parts of United States.....	1	2	1	4	1	1	5	1	2	1
Foreign countries.....			3	9	1	1	4	8		3
2. <i>Previous occupation:</i>										
Professional.....			3							
Teachers.....	2	5	2				1		4	1
Students.....			1				1		1	1
Public officials.....							2			
Clerks, bookkeepers, etc.....	4	4	2	6			6	5	1	1
Mechanics, salesmen, etc.....			4	4			14	5	1	2
Farmers and laborers.....			6	28	2		33	24	3	8
Miscellaneous.....			5	3			17	10	3	14
Unemployed.....	1	3	4	3			11	5	3	6
3. <i>Education:</i>										
Common school.....	3	6	12	39	1	1	53	37	12	20
Business college*.....										
Academic.....	4	6	16	11			24	15	5	7
College.....					1	1				
Professional school.....			1							
Total examined.....	7	12	33	50	2	2	77	52	17	28
Average age.....	25.6	24.3	39	39.5	46.5	46.5	32.3	38.3	30.8	35.7
Number of "veterans".....			4	1			1		1	1
Previously in civil service.....	2	1					3	4	3	3
Absentees.....										
Total notified.....										

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Guard, Sing Sing prison, June 22.			Guard, prison and re- formatory, August 28.			Inspector of charities, June 26.			Inspector of public works, February 24.			Inspector of public works, August 28.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. Birthplace :															
New York State	16	10	26	30	31	61	28	10	38	52	44	96	45	63	108
Other parts of United States.....	1	1	2	2	2	4	2	3	5	6	4	10	7	7	14
Foreign countries.....	2	2	4	4	4	8	1	1	2	22	9	31	15	29	44
2. Previous occupation :															
Professional							1	1	2					1	1
Teachers				4		4	4	4	1						
Students							1		1		2	2		1	1
Public officials							15		17		4	4		2	2
Clerks, bookkeepers, etc	1	1	2	3	2	5	2	3	5	4	2	6	1	10	11
Merchants, sail-men, etc	4	2	6	3	1	4	2	2	4	64	37	101	54	66	120
Mechanics and laborers.....	5	4	9	7	14	21							4	5	9
Farmers and domestics.....	1	1	2	2	10	12							5	7	12
Miscellaneous	6	3	9	7	9	16	5	3	8	9	10	19	5	5	10
Unemployed	1	2	3	2	1	3	2	3	5	3	2	5	3	6	9
3. Education :															
Common school	15	10	25	20	35	55	7	9	16	49	39	88	51	80	131
Business college*															
Academy	2	3	5	14	2	16	16	4	20	30	18	48	14	18	32
College							7	1	7	1	2	3	2	2	4
Professional school								1	1					1	1
Total examined	17	13	30	34	37	71	30	14	44	80	57	137	67	99	166
Average age	31.3	32.8	32	33.2	30.7	32	34.7	43	37.3	41.5	37.7	39.9	42.7	44	43.3
Number of "veterans"															
Previously in civil service	4	2	6	1	6	10	6	1	7	1	3	4	6	13	19
Absentees															
Total notified															

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Inspector of teachers' training classes, March 23.			Instructor, bookbind- ing, September 14.			Instructor, care and firing of boilers, Feb- ruary 12.			Instructor, manual training, March 22.			Instructor, manual training, October 23.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. <i>Birthplace:</i>															
New York State.....	9	15	24	2	1	3	3	8	11	1	2	3	1	3	
Other parts of United States.....				1		1	1		1						
Foreign countries.....															
2. <i>Previous occupation:</i>															
Professional.....		1	1												
Teachers.....	9	6	15								1	1			
Students.....		5	5												
Public officials.....		1	1												
Clerks, bookkeepers, etc.....		1	1												
Mechanics, salesmen, etc.....		1	1												
Mechanics and laborers.....				3	1	4	4	3	7		1	2			
Farmers and domestics.....															
Miscellaneous.....		1	1					3	3	1	1	1			
Unemployed.....								2	2						
3. <i>Education:</i>															
Common school.....				2	1	3	4	7	11				1	1	
Business college*.....															
Academic.....	5	6	11	1		1	1	1	1	1	1	1			
College.....	4	9	13												
Professional school.....															
Total examined.....	9	15	24	3	1	4	4	8	12	1	2	3	1	3	
Average age.....	38	35.5	36.4	29.3	43	32.8	32.7	40.6	38	39	24	23	23.7		
Number of "veterans".....		1	1												
Previously in civil service.....	1	1	2				1	3	4						
Absentees.....															
Total notified.....															

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Lever, August 28.			Library assistant, July 23.			Manual training instructor, Elmira Reformatory, December 11.			Matron, assistant, School for the Blind, August 19.			Matron, August 28.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. <i>Birthplace:</i>															
New York State.....	31	16	47				2			8			6	1	7
Other parts of United States.....	1	2	3							2			1	1	2
Foreign countries.....		1	1							1			4	2	6
2. <i>Previous occupation:</i>															
Professional.....															
Teachers.....										2					
Students.....				2											
Public officials.....										2			2		2
Clerks, bookkeepers, etc.....		1	1												
Merchants, salesmen, etc.....															
Mechanics and laborers.....	30	17	47				2								
Farmers and domestics.....	1	1	2							2			1	2	3
Miscellaneous.....	1	1	2							3			7	2	9
Unemployed.....										2			1		1
3. <i>Education:</i>															
Common school.....	2	3	5							5			8	3	11
Business college*.....															
Academic.....	4	2	6				2			6			2	1	3
College.....	26	14	40	2											
Professional school.....													1		1
Total examined.....	32	19	51	2			2						11	4	15
Average age.....	27.4	26	26.9	27			20.5			39.6			36.7	40.8	37.8
Number of "veterans".....															
Previously in civil service.....															
Absentees.....	21	12	33										7		7
Total notified.....							4								

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Medical interne, Feb- ruary 4.			Medical interne, April 10.			Medical interne, June 26.			Medical interne, homeo- pathic, June 26.			Medical interne, August 27.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. Birthplace:															
New York State	4		4	11	2	13	1	1	2				6	1	7
Other parts of United States	1		1	3	1	4	1	1	2				1		1
Foreign countries				4	1	5	1		1				1		1
2. Previous occupation:															
Professional	5		5	13	4	17	3	1	4				5	1	6
Teachers															
Students				5		5				1		1	1		1
Public officials															
Clerks, bookkeepers, etc.													1		1
Mechanics, salesmen, etc.															
Farmers and domestics															
Miscellaneous															
Unemployed															
3. Education:															
Common school															
Business college*															
Academic															
College	5		5	18	4	22	3	1	4			1	7	1	8
Professional school															
Total examined	5		5	18	4	22	3	1	4			1	7	1	8
Average age	22.4		22.4	25	26.5	25.5	24	23	23.8			23	26.2	26	26.1
Number of "veterans"															
Previously in civil service															
Absentees															
Total notified															

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Medical interne, home- opath, October 21.			Medical superintendent, state hospitals, August 24, 28.			Milk expert, March 9.			Milk expert, April 3.			Milk expert, August 27.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. Birthplace:															
New York State.....	1	.....	1	2	2	4	3	6	9	5	9	14	4	20	33
Other parts of United States.....	1	.....	1	8	.....	3	.....	1	1	.....	1	1	2	5	7
Foreign countries.....	.....	.....	.....	.....	.....	.....	.....	3	3	1	1	2	.....	2	2
2. Previous occupation:															
Professional.....	2	.....	2	5	2	7	.....	.....	.....	.....	.....	.....	2	2	2
Teachers.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	1	1
Students.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2	1	2
Public officials.....	.....	.....	.....	.....	.....	.....	.....	2	2	.....	1	1	2	2	2
Clerks, bookkeepers, etc.....	.....	.....	.....	.....	.....	.....	.....	1	1	.....	1	1	1	7	8
Mechanics, salesmen, etc.....	.....	.....	.....	.....	.....	.....	.....	1	1	.....	.....	.....	2	2	2
Mechanics and laborers.....	.....	.....	.....	.....	.....	.....	.....	1	1	.....	.....	.....	2	2	2
Farmers and domestics.....	.....	.....	.....	.....	.....	.....	2	1	3	6	9	15	2	16	18
Miscellaneous.....	.....	.....	.....	.....	.....	.....	1	5	6	.....	.....	.....	6	6	6
Unemployed.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3. Education:															
Common school.....	.....	.....	.....	.....	.....	.....	1	4	5	2	4	6	4	24	28
Business college*.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Academic.....	.....	.....	.....	.....	.....	.....	2	5	7	2	0	8	.....	6	6
College.....	.....	.....	.....	.....	.....	.....	.....	1	1	2	1	3	2	4	6
Professional school.....	2	.....	2	5	2	7	.....	.....	.....	.....	.....	.....	.....	2	2
Total examined.....	2	.....	2	5	2	7	3	10	13	6	11	17	6	36	42
Average age.....	23.5	.....	23.5	39	31.5	37.1	31	37.1	35.8	36.5	43.3	41	32.5	34.8	34.5
Number of "veterans".....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Previously in civil service.....	.....	.....	.....	5	1	6	.....	.....	.....	.....	.....	.....	2	2	2
Absentees.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total notified.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Page, October 23.		Physician, first asst., August 27, 28.		Physician, junior, February 4.		Physician, junior, April 10.		Physician, junior, August 27.			
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. <i>Birthplace:</i>												
New York State.....	3		3	0	1	7	8		14	1	15	16
Other parts of United States.....	2		2	3	3	3	1	2	7	4	11	15
Foreign countries.....						4	4		3	1	4	5
2. <i>Previous occupation:</i>												
Professionals.....				9	1	10	13	2	24	14	38	42
Teachers.....												
Students.....	1		1									
Public officials.....												
Clerks, bookkeepers, etc.....												
Merchants, salesmen, etc.....												
Mechanics and laborers.....												
Farmers and domestics.....												
Miscellaneous.....	3		3									
Unemployed.....	1		1									
3. <i>Education:</i>												
Common school.....	5		5									
Business college.....												
Academic.....												
College.....				9	1	10	13	2	24	14	38	42
Professional school.....												
Total examined.....	5		5	9	1	10	13	2	24	14	38	42
Average age.....	16		16	23.8	54	32.2	27.4	37.5	27.6	27.7	27.6	27.6
Number of "veterans".....												
Previously in civil service.....												
Absentees.....				9	1	9	4		6	7	13	17
Total notified.....												

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Physician, junior (homeopathic), June 26.			Physician, woman, April 10.			Physician, woman, August 27.			Physician, woman, (homeopathic), August 27.			Regents' examiner, English, February 13.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. <i>Birthplace:</i>															
New York State	1		1	4		4	2		2	1		1	2	15	17
Other parts of United States													1	3	4
Foreign countries							1		1						
2. <i>Previous occupation:</i>															
Professional	1		1	4		4	3		3	1		1	3	10	13
Teachers														6	6
Students														1	1
Public officials															
Clerks, bookkeepers, etc.															
Mechanics, salesmen, etc.															
Farmers and laborers															
Miscellaneous															
Unemployed														1	1
3. <i>Education:</i>															
Common school															
Business college*															
Academic														12	12
College													3	6	9
Professional school	1		1	4		4	3		3	1		1			
Total examined	1		1	4		4	3		3	1		1	3	18	21
Average age	26		26	36.3		36.3	38.7		38.7	35		35	31.3	28.7	29.1
Number of "veterans"															
Previously in civil service	1		1				1		1				1		1
Absentees															
Total notified															

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC. — (Continued).

KIND OF EXAMINATION AND DATE.	Regents' examiner, June 17.		Registrar of vital statistics, February 25.		Rodman, August 28.		School inspector, Re- gent's office, Decem- ber 28, 1897.		Special agent, August 27.	
	Passed.	Failed.	Passed.	Failed.	Passed.	Failed.	Passed.	Failed.	Passed.	Failed.
	Total.	Total.	Total.	Total.	Total.	Total.	Total.	Total.	Total.	Total.
1. Birthplace:										
New York State.....	15	15	5	3	29	61	4	5	29	35
Other parts of United States.....	3	1	1	1	6	7	1	1	2	3
Foreign countries.....	1	4	2	1	1	2			4	15
2. Previous occupation:										
Professional.....										
Teachers.....	9	9			1	2	3	6	9	1
Students.....	7	4			14	5	19			10
Public officials.....										1
Clerks, bookkeepers, etc.....			4	1	2	4	1		1	3
Mechanics, salesmen, etc.....						2			4	7
Mechanics and laborers.....			3	2	12	49	61		8	10
Farmers and domestics.....						2			2	18
Miscellaneous.....			1	1	3	2	2		4	10
Unemployed.....	3	3			4	3	7		6	14
3. Education:										
Common school.....			3	3		21			12	32
Business college.....										44
Academic.....	4	12	4	1	3	32			18	36
College.....	15	4	1		33	17	50	6	2	5
Professional school.....									3	3
Total examined	19	16	8	4	36	70	16	6	35	53
Average age	27.4	28.7	36.3	43	23	28.5	26.7	33.5	38.7	40.5
Number of "veterans".....			1	1	2				2	11
Previously in civil service.....			3		3	26	29			13
Absentees.....							1			
Total notified										

* "Business college" education counted as common school, except in case of book keeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC. — (Continued).

KIND OF EXAMINATION AND DATE.	Statistical clerk, March 28.			Statistician, August 27.			Steam engineer, August 28.			Steam engineer, assistant, August 28.			Stenographer, March 31-May 1.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.
1. Birthplace:															
New York State	6	20	26		13	13	15	11	26	21	4	25	84	86	170
Other parts of United States		1	1	1	1	2	2	2	2	4	4	4	7	11	18
Foreign countries				1	2	3	3	2	5	3	2	5	5	3	8
2. Previous occupation:															
Professional													1		1
Teachers	3	9	12	1	1	1							2	4	6
Students		2	2										7	26	43
Public officials	1	5	6												
Clerks, bookkeepers, etc.	2	2	4		5	5				1	1	1	84	55	139
Mechanics, salesmen, etc.				1	3	4	19	11	30	23	4	29	1	1	3
Farmers and laborers				1	5	6									
Mechanics and domestics				1	1	2				2	1	3		1	1
Miscellaneous	3	3	6	2	2	4	1	2	3	1	1	1	1	2	3
Unemployed															
3. Education:															
Common school				1	10	11	11	10	21	23	5	28	31	35	66
Business college*															
Academic	6	10	16		4	4	3	3	6	2	1	3	63	63	125
College	1	11	12	1	2	3	3		3	2	2	2	3	1	4
Professional school							3		3	1		1		1	1
Total examined	6	21	27	2	18	18	20	18	33	23	5	34	96	100	196
Average age	36	35.3	35.6	38	35.5	36	31.5	37	33.5	34.6	29.2	30.5	24.7	23.4	23.5
Number of "veterans"															
Previously in civil service	2			1	1	1	9	1	10	6		6	6		6
Absentees															
Total notified															

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Continued).

KIND OF EXAMINATION AND DATE.	Stenographer, October 7-21.		Stenographer, medical, April 23.		Superintendent, cloth- making industry, March 4.		Superintendent, cabinet- making industry, March 4.		Superintendent, Good- year shoe industry, April 22.	
	Passed.	Failed.	Passed.	Failed.	Passed.	Failed.	Passed.	Failed.	Passed.	Failed.
1. Birthplace:										
New York State.....	70	88								
Other parts of United States.....	4	5	2				3		2	
Foreign countries.....	5	2			2		1		1	
2. Previous occupation:										
Professional.....										
Teachers.....	3	1								
Students.....	3	9								
Public officials.....										
Clerks, bookkeepers, etc.....	69	33	2				1			
Mechanics, salesmen, etc.....										
Mechanics and laborers.....										
Farmers and domestics.....					2		3		1	
Miscellaneous.....	1	2								
Unemployed.....	2	1							3	
3. Education:										
Common school.....	10	2			2		4		5	
Business college *.....	26	25							3	
Academic.....	30	16	2							
College.....	3	2								
Professional school.....										
Total examined.....	79	46	2		2		4		5	
Average age.....	25	22.6	30		43		44.8		46.8	
Number of "veterans".....							55		41	
Previously in civil service.....										
Absentees.....	9									
Total notified.....					2					

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC. — (Continued).

KIND OF EXAMINATION AND DATE.	Superintendent, printing industry, March 4.			Superintendent, House of Refuge, September 9.			Tax clerk, Attorney- General's office, December 11.			Teacher, Syracuse Asy- lum, August 13.			Teacher, August 27.		
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.

1. <i>Birthplace:</i>															
New York State	3	2	5		3	7		4	1	5		3		6	16
Other parts of United States				4	1	5		1	1	2			10	2	2
Foreign countries				3	1	4		1			1	1	2		2
2. <i>Previous occupation:</i>															
Professional															
Teachers				1		1	5	2	7						
Students				3		3							3		18
Public officials													4	1	1
Clerks, bookkeepers, etc.															
Mechanics and laborers													1		1
Farmers and domestics	3	2	5												
Miscellaneous				1	3	4									
Unemployed				2	2	4									
3. <i>Education:</i>															
Common school		1	4		3	4									
Business college	3			1							1	1	1		1
Academic		1	1	3	2	5		1	2	3		3		6	18
College				2		2							12		
Professional school				1		1		4					1		1
Total examined	3	2	5	7	5	12	5	2	7	3	1	4	14	6	20
Average age	33.6	37	35	43.1	44	43.5	29	42.5	33	25.7	31.0	27.8	29	28.2	28.8
Number of "veterans"															
Previously in civil service				2		2								1	1
Absentees															
Total notified									9						

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

TABLE OF STATISTICS OF COMPETITORS WITH RESPECT TO AGE, EDUCATION, ETC.—(Concluded).

KIND OF EXAMINATION AND DATE.	Telegrapher, March 23.			Vinegar expert, August 27.			Vinegar expert, March 9.			Kindergartner, Batavia, November 23.			Totals.	
	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.	Total.	Passed.	Failed.
1. <i>Birthplace:</i>														
New York State.....	5	3	8	2	2	4				2	1,533	1,192	2,725	
Other parts of United States.....	1	1	2	1		1					242	134	376	
Foreign countries.....											243	243	486	
2. <i>Previous occupation:</i>														
Professionals.....				1		1								
Teachers.....				1		1				1	219	52	271	
Students.....		2	2							1	144	75	219	
Public officials.....											125	106	231	
Clerks, bookkeepers, etc.....		1	1				2				80	24	104	
Mechanics, salesmen, etc.....	1		1				1				518	209	727	
Farmers and laborers.....	1		1								163	141	304	
Miscellaneous.....				1	1	2					416	456	872	
Unemployed.....	4	1	5		1	1					92	135	227	
3. <i>Education:</i>											210	195	405	
Common school.....										1	102	85	187	
Business college *.....	6	4	10	1	2	3					853	888	1,740	
Academic.....				1		1								
College.....				1		1	3			1	766	500	1,266	
Professional school.....										1	277	151	428	
Total examined.....	6	4	10	3	2	5				2	2,017	1,570	3,587	
Average age.....	24	22	23.2	45.3	43.5	44.2	30.5	24.5	30.5	24.5	181	90	200	
Number of "veterans".....										24.5	181	90	200	
Previously in civil service.....				1		1					204	98	302	
Absentees.....														
Total notified.....														

* "Business college" education counted as common school, except in case of bookkeeper and stenographer examinations.

PROVISIONAL EXAMINATIONS, 1897.

	Qualified.	Not qualified.
Inspector, Board of Charities	4	.....
Photographer, Elmira Reformatory	1	.....
Engineering draughtsman, State Engineer	2	.....
Superintendent, printing industry, Sing Sing Prison	1	.....
Steamfitter, Middletown State Hospital	1	.....
Associate in physiological chemistry, Pathological Institute	1	.....
Tinsmith, Elmira Reformatory	1	.....
Plumber and steamfitter, Middletown State Hospital	1	.....
Building Inspector, Capitol Commissioner	2	2
Storekeeper, Rome Custodial Asylum	1	.....
Engineer, Woman's Relief Corps Home	1	.....
Instructor in bookbinding, State Industrial School	1	.....
Instructor in manual training, State Industrial School	1	.....
Instructor, shoe department, Sing Sing Prison	1	.....
Total	19	2
Total examined .....	.....	21
NON-COMPETITIVE EXAMINATIONS (CLASS III), 1897.		
Auburn Prison:		
Assistant matrons	1	.....
Forewomen	2	.....
Foremen	15	.....
Night janitor and attendant	1	.....
Craig Colony:		
Nurses	19	.....
Cooks	3	.....
Laundryman	1	.....
Laundresses	3	.....
Supervisors	2	.....
Miscellaneous	6	.....
Custodial Asylum, Newark:		
Attendants	8	.....
Supervisor	1	.....
Fireman	1	.....
Custodial Asylum, Rome:		
Attendants	18	.....
Firemen	4	.....
Cooks	2	.....
Painter	1	.....
Elmira Reformatory:		
Cooks	2	.....
Machinist	1	.....
Fisheries, Game and Forest Commission:		
Fish and game protectors and foresters	2	.....
Hospital, Binghamton State:		
Attendants	38	.....
Special attendants	4	.....
Laundresses	4	.....
Cook	1	.....
Miscellaneous	6	.....

NON-COMPETITIVE EXAMINATIONS (CLASS III), 1897 — (*Continued*).

	Qualified.	Not qualified.
Hospital, Buffalo, State:		
Attendants	207	19
Nurses	3	.....
Miscellaneous	2	.....
Hospital, Hudson River, State:		
Attendants	115	1
Cooks	5	.....
Special attendants	3	.....
Laundresses	2	.....
Fireman	1	.....
Mason	1	.....
Miscellaneous	9	.....
Hospital, Long Island, State:		
Attendants	304	.....
Cooks	8	.....
Masons	2	.....
Firemen	7	.....
Special attendants	3	.....
Page	1	.....
Steamfitter	1	.....
Carpenters	3	.....
Laundresses	7	.....
Nurses	2	.....
Tailor	1	.....
Miscellaneous	13	.....
Hospital, Manhattan, State:		
Attendants	522	12
Supervisors	3	.....
Carpenters	12	.....
Laundry overseer	1	.....
Special attendants	17	3
Head cooks	3	.....
Firemen	19	.....
Plumbers	3	.....
Linemen	2	.....
Bakers	3	.....
Meat cutters	4	.....
Blacksmith	1	.....
Barber	1	.....
Pages	8	.....
Tailor	1	.....
Watchmen	4	.....
Masons	2	.....
Painters	3	.....
Chef	1	.....
Miscellaneous	49	.....
Hospital, Matteawan State:		
Attendants	15	.....
Firemen	2	.....
Special attendants	2	.....
Painters	3	.....
Shoemaker	1	.....

NON-COMPETITIVE EXAMINATIONS (CLASS III), 1897 — (*Continued*).

	Qualified.	Not qualified.
Hospital, Middletown State:		
Attendants	60	.....
Tailors	2	.....
Cooks	2	.....
Miscellaneous	4	.....
Hospital, Rochester State:		
Attendants	6	.....
Miscellaneous	3	.....
Hospital, St. Lawrence State:		
Attendants	108	.....
Miscellaneous	3	.....
Hospital, Utica State:		
Attendants	47	.....
Special attendants	2	.....
Miscellaneous	3	.....
Hospital, Willard State:		
Attendants	87	.....
Cooks	9	.....
Firemen	2	.....
Carpenters	2	.....
Miscellaneous	6	.....
House of Refuge for Women, Albion:		
Housekeeper	1	.....
Seamstress	2	.....
Fireman	1	.....
Supervisor	1	.....
Assistant supervisor	1	.....
Miscellaneous	2	.....
House of Refuge for Women, Hudson:		
Assistant supervisors	23	.....
Watchmen	10	.....
Industrial School, Rochester State:		
Officers	16	.....
Caretakers	4	.....
Housekeepers	2	.....
Cook	1	.....
Miscellaneous	8	.....
Institution for Feeble-minded Children, Syracuse:		
Attendants	3	.....
Supervisor	1	.....
Cooks	4	.....
Fireman	1	.....
Sing Sing Prison:		
Foreman	1	.....
Examiner, manufacturing department	1	.....

NON-COMPETITIVE EXAMINATIONS (CLASS III), 1897 — (*Concluded*).

	Qualified.	Not qualified.
Soldiers and Sailors' Home, Bath:		
Nurses	11	.....
Cooks	2	.....
Firemen	5	.....
Carpenters	4	.....
Miscellaneous	5	.....
Thomas Orphan Asylum, Versailles:		
Attendants	5	.....
Cooks	4	.....
Laundresses	2	.....
Miscellaneous	2	.....
Onondaga Salt Works, Syracuse:		
Engineers	2	.....
Salt inspector	1	.....
Totals	2,000	35
Total examined, Class III .....	.....	2,035

GENERAL SUMMARY OF EXAMINATIONS HELD DURING THE YEAR 1897.

	Number examined.	Qualified.	Not qualified.
Competitive examinations	3,587	2,017	1,570
Provisional examinations	21	19	2
Non-competitive examinations (Class III)	2,035	2,000	35
Totals	5,643	4,036	1,607

NEW YORK CIVIL SERVICE COMMISSION.

[illegible]

NON-COMPETITIVE EXAMINATIONS.

The following tables show the number of persons who have entered non-competitive examinations since the organization of the Commission, and the number who passed and failed:

*Schedule C.**

	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.	Totals.
Number examined.....	61	330	167	99	107	133	88	352	91	110	197	206	213		2,154
Number passed.....	61	299	157	73	102	116	81	341	86	110	190	189	180		1,985
Number failed .....	....	31	10	26	5	17	7	11	5	....	7	17	33		169

* Suspended May 23, 1896.

Class III.

	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.	Totals.
Number examined..	386	233	345	615	474	536	626	734	1,019	1,121	1,103	1,282	2,679	2,035	13,188
Number passed	386	223	327	583	470	509	606	722	1,004	1,103	1,074	1,207	2,619	2,000	12,833
Number failed .....	....	10	18	32	4	27	20	12	15	18	29	75	60	35	355

GENERAL SUMMARY.

The following table shows the total number of persons examined in competitive and non-competitive examinations since the organization of the Commission, and the number who passed and failed:

	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.	Totals.
Number examined..	683	788	721	1,098	930	943	999	1,427	1,502	1,799	2,124	2,948	6,721	5,643	28,326
Number passed	617	664	652	910	819	824	861	1,273	1,370	1,583	1,824	2,184	4,634	4,036	22,251
Number failed	66	124	69	188	111	119	138	154	132	216	300	764	2,087	1,607	6,075

FITNESS EXAMINATIONS.

List of all fitness examinations held under the provisions of chapter 428, Laws of 1897, the department in which each occurred, the number of names on merit list, the number who appeared for fitness examination, and the number who passed and failed.

POSITION.	DEPARTMENT.	Number on merit list.	Number who appeared for fitness examination.	Number who passed.	Number who failed.
Apothecary.....	Buffalo State Hospital.....	4	1	1	.....
Apothecary.....	Craig Colony.....	6	3	3	.....
Assistant chemist.....	Agricultural Experiment Station.....	3	3	3	.....
Assistant civil engineer.....	State Engineer and Surveyor.....	10	1	.....	1
Assistant civil engineer.....	State Engineer and Surveyor.....	32	25	25	.....
Assistant electrical engineer.....	Long Island State Hospital.....	14	7	3	4
Assistant electrical engineer.....	Elmira Reformatory.....	12	7	5	2
Assistant electrical engineer.....	Manhattan State Hospital.....	12	7	4	3
Assistant steam engineer.....	Manhattan State Hospital.....	28	14	10	4
Assistant steam engineer.....	Woman's Relief Corps Home.....	26	7	6	1
Assistant steam engineer.....	Middletown State Hospital.....	25	3	3	.....
Assistant steam engineer.....	School for the Blind, Batavia.....	11	9	8	1
Associate in comparative neurology.....	Pathological Institute.....	1	1	1	.....
Bookkeeper.....	Department of Excise.....	36	21	13	8
Bookkeeper (male).....	Matteawan State Hospital.....	31	10	1	9
Building inspector.....	Capitol Commissioner.....	24	15	14	1
Chairman.....	State Engineer and Surveyor.....	96	82	82	.....
Chemist.....	Department of Agriculture.....	1	1	1	.....
Chief steam engineer.....	St. Lawrence State Hospital.....	25	11	8	3
Chief steam engineer.....	Manhattan State Hospital.....	20	10	5	5

Clerk (male).....	147	61	25	36
Clerk (male).....	147	14	1	13
Clerk (male).....	147	63	13	50
Court attendant, thirteenth district.....	6	4	4	.....
Court attendant.....	38	20	20	.....
Court stenographer.....	15	7	7	.....
Court stenographer.....	17	16	16	.....
Deputy factory inspector, first and second districts.....	21	16	6	10
Deputy factory inspector, eighth district.....	2	2	1	1
Draughtsman.....	2	2	2	.....
Director, trade schools.....	5	5	4	1
Foreman, knitting industry.....	2	2	4	.....
Guard.....	46	39	34	5
Guard.....	17	1	1	.....
Inspector.....	30	27	6	21
Inspector of public works.....	67	53	52	1
Instructor (steam boilers).....	2	2	2	.....
Instructor (bookbinding).....	3	3	3	.....
Instructor (moulding).....	7	4	3	.....
Instructor (manual training).....	2	2	2	.....
Instructor (manual training).....	2	1	.....	1
Instructor (upholstering).....	3	2	2	.....
Interpreter, Italian.....	6	5	5	.....
Interpreter.....	3	3	3	.....
Junior physician.....	28	2	2	.....
Junior physician.....	28	4	4	.....
Junior physician.....	28	5	5	.....
Junior physician.....	25	7	5	2
Junior physician.....	23	1	1	.....
Junior physician, (Homeopathic).....	1	1	1	.....
Junior physician.....	14	7	6	1
Junior physician.....	14	1	1	.....
Junior physician.....	14	7	6	1
Junior physician.....	13	5	5	.....
Junior physician.....	2	2	1	1
Kindergartner.....	32	28	28	1
Leveler.....	18	5	4	.....
Library assistant.....	9	6	6	.....
Matron.....	8	1	1	.....
Matron.....	8	1	1	.....
Railroad Commission.....	147	61	25	36
Board of Health.....	147	14	1	13
State Commission of Prisons.....	147	63	13	50
New York city.....	6	4	4	.....
Kings County Court.....	38	20	20	.....
Supreme Court, Kings county.....	15	7	7	.....
Appellate Division, First Department.....	17	16	16	.....
Factory Inspector.....	21	16	6	10
Factory Inspector.....	2	2	1	1
State Engineer and Surveyor.....	2	2	2	.....
Elmira Reformatory.....	5	5	4	1
Clinton Prison.....	2	2	4	.....
Elmira Reformatory.....	46	39	34	5
Sing Sing Prison.....	17	1	1	.....
Board of Charities.....	30	27	6	21
Department of Public Works.....	67	53	52	1
Industrial School, Rochester.....	2	2	2	.....
Industrial School, Rochester.....	3	3	3	.....
Elmira Reformatory.....	7	4	3	.....
Industrial School, Rochester.....	2	2	2	.....
Elmira Reformatory.....	2	1	.....	1
Industrial School, Rochester.....	3	2	2	.....
Supreme Court, second district.....	6	5	5	.....
Appellate Division, First Department.....	3	3	3	.....
Utica State Hospital.....	28	2	2	.....
Binghamton State Hospital.....	28	4	4	.....
Buffalo State Hospital.....	28	5	5	.....
Manhattan State Hospital.....	25	7	5	2
Hudson River State Hospital.....	23	1	1	.....
Middletown State Hospital.....	1	1	1	.....
Matteawan State Hospital.....	14	7	6	1
Binghamton State Hospital.....	14	1	1	.....
Manhattan State Hospital.....	14	7	6	1
Buffalo State Hospital.....	13	5	5	.....
School for the Blind, Batavia.....	2	2	1	1
State Engineer and Surveyor.....	32	28	28	1
State Library.....	18	5	4	.....
Binghamton State Hospital.....	9	6	6	.....
Hudson River State Hospital.....	8	1	1	.....

FITNESS EXAMINATIONS — (Concluded).

POSITION.	DEPARTMENT.	Number on merit list.	Number who appeared for fitness examination.	Number who passed.	Number who failed.
Medical interne (homeopathic).....	Middletown State Hospital.....	1	1	1	.....
Medical interne.....	Hudson River State Hospital.....	18	2	2	.....
Medical interne.....	St. Lawrence State Hospital.....	18	2	2	.....
Medical interne.....	Manhattan State Hospital.....	18	7	3	4
Medical interne.....	Long Island State Hospital.....	18	4	4	.....
Medical interne (male).....	Manhattan State Hospital.....	8	4	2	2
Medical interne (homeopathic).....	Middletown State Hospital.....	3	1	1	.....
Medical interne.....	Craig Colony, Sonyea.....	10	6	6	.....
Milk expert.....	Department of Agriculture.....	15	12	10	2
Page.....	Lunacy Commission.....	5	4	3	1
Rodman.....	State Engineer and Surveyor.....	36	27	27	.....
Special agent, fourth district.....	Excise Department.....	18	9	8	1
Special agent, first district.....	Excise Department.....	24	18	8	10
Special agent, first, second and third districts.....	Excise Department.....	5	4	2	2
Special agent, first, fourth, fifth, sixth, seventh and eighth districts.....	Excise Department.....	27	26	23	3
Stenographer, female, first grade.....	Excise Department.....	77	26	8	18
Stenographer, female, first grade.....	Department of Agriculture.....	71	5	4	1
Stenographer, female, first grade.....	Long Island State Hospital.....	71	2	2	.....
Stenographer, female, first grade.....	Rochester State Hospital.....	71	5	5	.....
Stenographer, female, first grade.....	Manhattan State Hospital.....	74	3	1	2
Stenographer, female, first grade.....	Matteawan State Hospital.....	36	3	3	.....
Stenographer, female, first grade.....	Lunacy Commission.....	36	11	3	8
Stenographer, female, second grade.....	Superintendent of State Prisons.....	30	11	11	.....
Stenographer, male, first grade.....	Matteawan State Hospital.....	9	4	4	.....

Stenographer, male, first grade.....	20	1
Stenographer, male, second grade.....	16	2
Stenographer, male, second grade.....	9	3
Stenographer, male, third grade.....	10	3
Superintendent.....	7	6
Tax clerk.....	5	5
Teacher.....	3	3
Teacher.....	4	1
Vinegar expert.....	2	2
Voucher clerk (bookkeeper, male).....	26	4

List of fitness examinations held by Commission in accordance with the provisions of Civil Service rule VIII, section 2, with name of department for which each was held, the number of names on the merit list, the number who appeared for fitness examination, and the number who passed and failed:

POSITION.	Department.	Number on merit list.	Number who appeared for fitness examination.	Number who passed.	Number who failed.
Guard.....	Anburn Prison.....	119	86	75	11
Guard.....	Clinton Prison.....		11	11	.....
Guard.....	Sing Sing Prison.....		22	20	2
Total .....	.....	119	119	106	13

Eligible lists prepared by Commission by duplication of merit lists in accordance with Civil Service regulation VIII, section 4 :

POSITION.	Department.	Number on merit list.
Bookkeeper	Comptroller.....	36
Chemist.....	Department of Agriculture.....	1
Junior clerk.....	Regents of the University.....	23
Statistician.....	Bureau of Statistics of Labor.....	2
Superintendent, shoe industry...	Sing Sing Prison.....	2
Teacher.....	Thomas Orphan Asylum	14
Total .....	.....	78

[illegible]

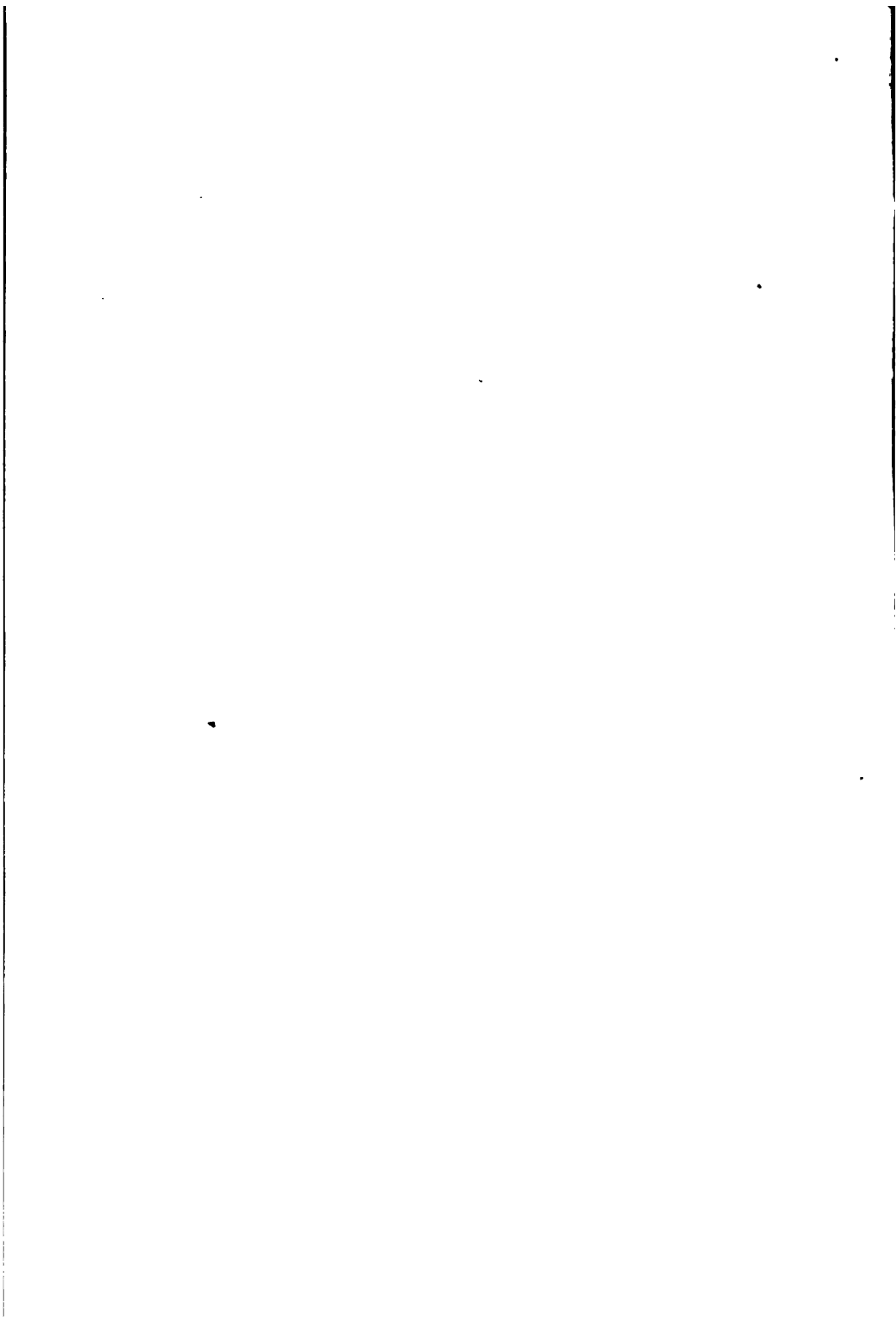
TOTAL NUMBER OF APPOINTMENTS SINCE THE ORGANIZATION OF THE COMMISSION.

	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.	Totals.
After competitive examinations.....	18	22	57	58	79	47	63	71	101	129	183	200	630	536	2,193
After noncompetitive examinations (Schedule C)*.....	61	209	157	73	162	116	81	841	86	110	190	189	189	.....	1,945
After noncompetitive examinations (Class III).....	386	223	327	583	476	509	606	722	1,004	1,103	1,074	1,207	2,619	2,000	12,833
Without examination, mainly health officers, Rule 8, § 7.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	59	59
Totals.....	485	544	541	714	651	672	749	1,134	1,191	1,342	1,447	1,596	3,429	2,595	17,070

*Suspended May 26, 1896.

APPENDIX C.

1. ORGANIZATION OF COMMISSION, EXAMINATION BOARDS, ETC.
 2. TABLE SHOWING THE NUMBER OF POSITIONS CLASSIFIED IN
EACH DEPARTMENT AND INSTITUTION.
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Organization of the New York Civil Service Commission and the several boards of examiners appointed by and acting under it.

NEW YORK CIVIL SERVICE COMMISSION.

Commissioners.—Willard A. Cobb, Lockport; George P. Lord, Dundee; Silas W. Burt, New York.

Officers, etc.—President, Willard A. Cobb; chief examiner, Charles S. Fowler; secretary, Clarence B. Angle; clerk, John C. Birdseye; examiner, Harold N. Saxton; stenographers, Mary E. Dell, Hattie B. Bennett; junior clerk, Julia M. Ryan.

General office in Capitol, Albany.

BOARDS OF EXAMINERS.

Clerical positions, General Board.—Melvil Dewey, chairman; Charles W. Cole, P. H. McQuade, Willis E. Merriman, C. Mortimer Odell, Howard J. Rogers.

Court positions, Brooklyn.—Percy S. Dudley, Charles E. Woodbridge, Alfred F. Britton.

Court positions, New York City.—William H. Arnoux, chairman; Jacob F. Miller, Charles A. Davison, John R. MacArthur, secretary.

Engineering positions.—Prof. T. W. Wright, Prof. E. A. Fuertes, Hon. John Bogart.

Health Officers.—Lansing B. Winne, M. D., chairman; Julius B. Southworth, M. D., George G. Lempe, M. D.

Medical positions.—Samuel B. Ward, M. D., chairman; Charles E. Jones, M. D., B. W. Burland, M. D., Howard Van Rensselaer, M. D., Leo H. Neuman, M. D., J. Montgomery Mosher, M. D.

SPECIAL AND EXPERT EXAMINERS.

W. P. Cutter, librarian, Department of Agriculture, Washington, D. C.

Prof. H. J. Ryan, electrical engineer, Ithaca, N. Y.

Prof. Brainerd Kellogg, Polytechnic Institute, Brooklyn, N. Y.

Prof. William G. Raymond, civil engineer, Troy, N. Y.

Thomas R. Ward, printer, Albany, N. Y.

S. C. Rice, manager, Western Union Telegraph Company, Albany, N. Y.

Miss Anna M. Reiner, teacher, Hoboken, N. J.

Prof. Robert H. Thurston, mechanical engineer, Ithaca, N. Y.

Prof. R. W. Wallace, Albany Business College, Albany, N. Y.

Antonio Cuyas, correspondent, New York city.

Otto P. Eberhard, notary, New York city.

Rev. Isidor Loewy, New York city.

Albert Wank, immigrant inspector, New York city.

N. J. Arbeely, editor and immigrant inspector, New York city.

W. L. Weeden, regents' examiner, Frankfort, N. Y.

Mrs. Charles W. Burrowes, teacher.

Mrs. H. A. Davidson, Albany, N. Y.

Henry L. Taylor, regents' examiner, Albany, N. Y.

Miss S. A. Walker, art teacher, New York city.

Oliver S. Strong, M. D., Wood's Holl, Mass.

B. R. Heyward, lawyer, Albany, N. Y.

A. B. Husted, pharmacist, Albany, N. Y.

Fred. E. Wilcox, examiner, Building Department, New York city.

E. P. Saxton, teacher, Westville, N. Y.

Walter Roche, bookbinder, Albany, N. Y.

Carlos Macdonald, M. D., Pleasantville, N. Y.

Prof. G. C. Caldwell, chemist, Ithaca, N. Y.

Mrs. Mary E. Cox, teacher, Albany, N. Y.

Mrs. Clara A. Weeden, teacher, Frankfort, N. Y.

Miss Mary A. Rogers, teacher, Frankfort, N. Y.

Miss H. E. Duddleston, teacher, Frankfort, N. Y.

Mrs. Marion E. G. Taylor, teacher, Albany, N. Y.

Ernst Lundgren, lawyer, New York city.

Prof. J. L. Morris, mechanical engineer, Ithaca, N. Y.

A. Romano Avezana, secretary, Italian Emigrant Aid Society, New York city.

Francis Collingwood, civil engineer, New York city.

Prof. William K. Gillette, New York University, New York city.

Julius Schwartz, insurance agent, New York city.

J. Newton Fiero, lawyer, Albany, N. Y.

Prof. James E. Russell, Teachers' College, New York city.

LOCAL EXAMINING BOARDS.

Albany.—John A. Best, John W. Cox.

Amsterdam.—John G. Serviss, Robert N. Clark, Louis H. Reynolds, Lawrence A. Serviss.

Binghamton.—John J. Irving, R. A. Gunnison.

Brooklyn.—Franklin A. Coles, William O'Connell, John Laughlin, Richard H. Clarke, Jr.

Buffalo.—Henry A. Richmond, Charles B. Wheeler, William B. Dickinson, George H. Minor, William B. Rogers, Frederick S. Hoffer, Alfred W. Gray.

Corning.—A. N. Norris.

Elmira.—A. W. Banfield.

Geneva.—Edwin R. Bishop, M. D., F. A. Malette.

Hornellsville.—Murray E. Page, W. R. Prentice, Hiram A. Baker.

Ithaca.—Charles A. Stiles, Gregg Puff.

Jamestown.—George C. Van Dusen, Vernelle A. Hatch, Frank S. Thorpe.

Kingston.—Philip Eltinge, John J. Moran.

Malone.—H. M. Chamberlain.

Middletown.—William J. Burke, George W. Powers.

New York City.—Elmer G. Story, Walter S. Schutz, Oscar D. Weed, John A. Thompson, Thomas M. Debevoise, Byron P. Stratton.

Olean.—Fox Holden.

Oneonta.—Alva Seybolt, C. A. Butler.

Plattsburgh.—D. A. Lockwood, C. E. Fitzpatrick.

Rochester.—John E. Williams, G. W. Miner, Samuel C. Williams, Charles F. W. Amsler, Edward Amsler.

Syracuse.—Louis L. Waters, George L. Baldwin.

Troy.—Henry S. Knight, Seymour Knight.

Utica.—William J. Cahill, George N. Smith, George F. Hendrick.

Watertown.—Gary M. Jones, George W. Reeves.

CLASS III — EXAMINERS IN STATE INSTITUTIONS.

Albion, House of Refuge for Women at.—Clara M. Waterman, chairman, Harriet Watson, M. D., Mary K. Boyd.

Auburn Prison.—F. H. Mills, S. J. Westfall, John N. Ross.

Batavia, Institution for the Blind at.—Frank M. Jameson, Miss G. S. Griswold, Frank S. Wood.

Binghamton, State Hospital at.—Charles C. Eastman, M. D., chairman; Edward Evans, Robert J. Powers.

Buffalo, State Hospital at.—Henry P. Frost, M. D., Walter H. Conley, M. D., John H. Culp.

Clinton Prison.—Seth Allen, Abram Schiff, Ira E. Irish.

Craig Colony, Sonyea, N. Y.—L. Pierce Clark, M. D., Elizabeth D. Holt, Mary Louise Benoit, M. D.

Elmira Reformatory.—R. Charles Bates, Henry F. Bush, A. D. Call.

Hudson, House of Refuge at.—H. W. Alden, chairman; Crawford E. Fritts, M. D., Elmer S. Luckenbach, secretary.

Long Island State Hospital, Brooklyn.—Ira O. Tracey, M. D., D. E. Warren, M. D., Caroline M. Stengel, M. D.

Long Island State Hospital, Kings Park.—B. G. Williams, M. D., John McGuire, M. D., Oscar T. Conklin.

Manhattan State Hospital:

Male Department, Ward's Island.—Archibald Campbell, M. D., John Riordan, M. D., Rudolph Knapp.

Female Department, Ward's Island.—Constantine Bjerring, M. D., H. A. Bond, M. D., William B. Mosely, M. D.

Central Islip.—M. B. Heyman, M. D., Charles G. Brink, M. D., C. E. Norris, M. D.

Hart's Island.—Benjamin R. Logie, M. D., Louis Walther, M. D., F. H. Magness, M. D.

Matteawan State Hospital.—Robert B. Lamb, M. D., chairman; Edgar J. Spratling, M. D., James F. Howell, secretary.

Middletown, State Hospital at.—George Allen, M. D., chairman; Daniel H. Arthur, M. D., C. Spencer Kinney, M. D., secretary.

Newark, Custodial Asylum for Women at.—Silas S. Pierson, chairman; Gertrude E. Windspear, M. Alice Brownell, M. D., secretary.

Ogdensburg, St. Lawrence Hospital at.—Richard H. Hutchins, M. D., chairman; William C. Hall, Warren L. Babcock, M. D.

Poughkeepsie, Hudson River State Hospital at.—Charles H. Langdon, M. D., chairman; E. Lyman Brown, Emma Putnam, M. D.

Rochester, State Hospital at.—Ezra B. Potter, M. D., chairman; W. S. Remington, Eviline B. Ballantine, M. D., secretary.

Rochester, State Industrial School at.—Franklin H. Briggs, chairman; Edwin Foster, Margaret Craig.

Sing Sing Prison.—Rev. John S. C. Weills, Edgar W. Cook, John B. Cockcroft.

Soldiers' and Sailors' Home, Bath.—Dr. Orlando W. Sutton, J. Carter Robie, Monroe Wheeler.

Syracuse, Asylum for Feeble-Minded Children at.—John L. Barnett, chairman; William G. Hall, Alvina E. Wood.

Thomas Orphan Asylum, Versailles.—Irving R. Leonard, Mrs. Frank W. Kammerer, William Lawton.

Utica, State Hospital at.—Harold L. Palmer, M. D., chairman; John R. Jones, Clara Smith, M. D.

Willard, State Hospital at.—Morris J. Gilbert, Samuel F. Mellen, M. D., secretary; William L. Russell, M. D.

Woman's Relief Corps Home, Oxford, N. Y.—Prof. R. H. Coe, R. E. Miller, M. D., Burr Buckley.

II. CLASSIFICATION.

Table showing the number of positions in the unclassified and classified service in the various departments and institutions.

DEPARTMENT.	Unclassified service.	CLASSIFIED SERVICE.			Total.
		Class I.	Class II.	Class III.	
Executive Chamber.....	1	5	5	.....	11
Lieutenant Governor.....	2	.....	.....	.....	2
Secretary of State.....	1	4	15	.....	20
Comptroller.....	1	4	48	.....	53
Treasurer.....	1	3	7	.....	11
Attorney-General.....	1	8	4	.....	13
Engineer and Surveyor.....	1	5	277	.....	283
Railroad Commission.....	3	3	11	.....	17
Department of Public Instruction.....	1	10	30	3	44
Insurance Department.....	1	20	31	1	53
Banking Department.....	1	4	32	.....	37
Department of Public Works.....	1	35	186	10	232
Department of Excise.....	1	13	109	.....	123
Department of Agriculture.....	1	2	70	.....	73
Factory Inspector.....	2	1	42	.....	45
Department of Public Buildings.....	.....	2	44	9	55
University of the State of New York..	18	2	166	6	192
State Museum.....	2	.....	5	.....	7
State Geologist and Paleontologist.....	1	.....	7	.....	8
Prison Commission.....	8	1	2	.....	11
Superintendent of State Prisons.....	1	.....	4	.....	5
Auburn Prison.....	.....	3	111	26	140
Prison for Women, Auburn.....	.....	.....	11	15	26
Clinton Prison.....	.....	2	83	5	90
Sing Sing Prison.....	.....	2	115	4	121
Commission of Fisheries, Game and Forests.....	5	2	14	29	50
Forest Preserve Board.....	3	5	.....	.....	8
Capitol Commissioner.....	1	1	27	.....	29
State Land Survey.....	1	.....	30	.....	31
State Board of Health.....	9	1	11	.....	21
Court of Claims.....	3	1	3	.....	7
Bureau of Statistics of Labor.....	1	2	13	.....	16
Board of Charities.....	11	2	13	.....	26
Civil Service Commission.....	3	.....	6	.....	9
Board of Mediation and Arbitration..	3	1	1	.....	5
Statutory Revision Commission.....	3	.....	5	.....	8
Board of Tax Commissioners.....	3	1	1	.....	5
State Historian.....	1	.....	2	.....	3
Inspector of Gas Meters.....	1	3	.....	.....	4
Superintendent of Weights and Meas- ures.....	1	.....	.....	.....	1
Onondaga Salt Works.....	1	1	.....	40	42
Agricultural Experiment Station, Geneva.....	.....	1	25	7	33
Weather Bureau, Cornell University..	1	2	2	.....	5
Commissioners, Niagara Reservation..	5	1	10	.....	16
Health Officer, Port of New York.....	1	2	12	7	22
Quarantine Commission.....	3	1	6	2	12
Board of Port Wardens.....	10	2	.....	.....	12
Commissioners of Subways, Brooklyn..	.....	1	3	.....	4

CLASSIFICATION — (Concluded).

DEPARTMENT.	Unclassified service.	CLASSIFIED SERVICE.			
		Class I.	Class II.	Class III.	Total.
Commission in Lunacy	3	1	17	-----	21
Pathological Institute	-----	-----	15	-----	15
State Hospital, Binghamton	7	3	24	265	299
State Hospital, Brooklyn	6	6	41	539	592
State Hospital, Buffalo	7	3	24	245	279
State Hospital, Matteawan	-----	1	12	113	126
State Hospital, Middletown	12	3	24	212	251
State Hospital, New York City	7	9	93	1,182	1,291
State Hospital, Ogdensburg	7	3	25	305	340
State Hospital, Poughkeepsie	7	3	32	339	371
State Hospital, Rochester	7	5	12	102	126
State Hospital, Utica	7	3	24	206	240
State Hospital, Willard	7	3	29	389	428
School for the Blind, Batavia	9	-----	25	10	44
Elmira Reformatory	5	-----	112	3	120
Industrial School, Rochester	15	3	68	56	142
Soldiers and Sailors' Home, Bath	9	6	13	29	57
Women's Relief Corps Home, Oxford ..	9	3	2	1	15
Craig Colony, Sonyea	12	1	11	43	67
House of Refuge, Albion	5	1	7	18	31
Custodial Asylum, Rome	11	2	6	49	68
Custodial Asylum, Newark	9	-----	8	52	69
Institution for Feeble Minded Children, Syracuse	8	2	18	73	101
House of Refuge, Hudson	6	1	6	54	67
Thomas Orphan Asylum	10	1	11	12	34
Collins Farm Homeopathic Hospital ..	7	1	-----	1	9
State Reporter	-----	1	3	-----	4
Miscellaneous Reporter	1	-----	2	-----	3
Court of Appeals	7	12	4	-----	23
Supreme Court, Appellate Division ..	21	9	19	-----	41
Supreme Court	56	34	187	-----	277
Normal College, Albany	5	1	23	-----	29
Normal School, Brookport	11	1	21	-----	33
Normal School, Buffalo	10	1	18	-----	29
Normal School, Cortland	9	1	18	-----	28
Normal School, Fredonia	7	1	18	-----	26
Normal School, Geneseo	9	1	23	-----	33
Normal School, Jamaica	12	1	13	-----	26
Normal School, New Paltz	10	1	14	-----	25
Normal School, Oneonta	12	1	19	-----	32
Normal School, Oswego	14	1	18	-----	33
Normal School, Plattsburg	13	1	15	-----	29
Normal School, Potsdam	10	1	18	-----	29
Totals	518	291	2,701	4,442	7,952

APPENDIX D.

1. LISTS OF APPOINTMENTS.
2. LIST OF DEATHS, PROMOTIONS AND TRANSFERS IN, AND REMOVALS
AND RESIGNATIONS FROM, THE PUBLIC SERVICE, REPORTED
SINCE THE LAST ANNUAL REPORT.

APPOINTMENTS, CLASS I.

Date.	NAME.	Position.	Office.
June 1	A. C. Brundage.....	Adjutant.....	Soldiers' and Sailors' Home, Bath.
February 1	J. Warren Mead.....	Agent and warden.....	Auburn Prison.
September 27	James S. Sherman.....	Attorney.....	State Hospital, Utica.
27	S. S. Partridge.....	Attorney.....	State Hospital, Willard.
27	H. M. Taylor.....	Attorney.....	State Hospital, Poughkeepsie.
27	James F. Gluck.....	Attorney.....	State Hospital, Buffalo.
October 1	John B. Swezey.....	Attorney.....	State Hospital, Middletown.
September 27	James M. E. O'Grady.....	Attorney.....	State Hospital, Rochester.
27	Edmund O'Connor.....	Attorney.....	State Hospital, Binghamton.
27	L. F. Stearns.....	Attorney.....	Collins' State Hospital.
27	George C. Austin.....	Attorney.....	Manhattan State Hospital.
27	George R. Malby.....	Attorney.....	St. Lawrence State Hospital.
November 29	E. L. Payn.....	Cashier.....	Insurance Department.
October 18	Rev. C. Herrick.....	Chaplain.....	Auburn Prison.
July 1	Matthew H. Robertson.....	Chief clerk, tax department.....	Insurance Department.
February 11	Isaac Vanderpoel.....	Chief confidential examiner.....	Insurance Department.
November 1	H. C. Hackett.....	Confidential examiner.....	Insurance Department.
July 15	J. P. Menick.....	Confidential examiner.....	Insurance Department.
August 20	J. B. H. Mongin.....	Confidential examiner.....	Insurance Department.
July 1	Louis Newgas.....	Confidential examiner.....	Insurance Department.
February 11	Morris S. Sheppard.....	Confidential examiner.....	Insurance Department.
August 1	Helen C. Tilcomb.....	Confidential examiner.....	Insurance Department.
October 15	H. C. Weeks.....	Confidential examiner.....	Insurance Department.
August 1	M. F. Cadman.....	Confidential examiner.....	Insurance Department.
10	Charles H. Harden.....	Confidential examiner.....	Insurance Department.
July 15	J. Bartlett Hyldorn.....	Confidential examiner.....	Insurance Department.
August 1	James Keenboltz.....	Confidential examiner.....	Insurance Department.
July 7	Ezra White.....	Confidential examiner.....	Insurance Department.
June 7	John S. Hosmer.....	Confidential clerk.....	Banking Department.
February 4	Franklin B. Mitchell.....	Confidential clerk to Shell Fish Commissioner.....	State Treasurer.
November 23	William H. Shankland.....	Clerk.....	Fisheries, Game and Forest Commission. Court of Appeals.

June	22	A. G. C. Fletcher	Consulting and inspecting architect, New Capitol
September	1	Charles A. Shaver	Conductor of institutes
December	17	Richard M. Barber	Deputy clerk
November	4	Garrett B. Brower	Engineer
October	28	Frederick H. Coggeshall	Examiner
April	1	Charles Tracey	Financial clerk
February	11	Robert H. Hunter	First deputy
March	30	O. C. Hall	Industrial clerk
July	1	Cyrus Durey	Inspector
	1	J. Y. McClintock	Inspector
August	1	F. X. Salzman	Inspector
May	1	George S. Gatehell	Inspector
September	1	Augusta H. Loeb	Kindergartner
February	19	William W. Dennis	Private secretary
July	2	Georgie L. Fanning	Private secretary to Superintendent State and Alien Poor
March	1	P. J. O'Connor	Quartermaster
June	15	Henry D. Appleton	Second deputy
July	1	Silas B. Lyman	Secretary to commissioner
June	1	Merton E. Lewis	Secretary
August	1	Justin B. Davis	Special agent
	25	Alexander R. Smith	Special agent
April	14	J. Miller Esmev	Special detective
June	1	John S. Casey	Stenographer
July	1	Frances L. Wade	Stenographer
June	1	Edward Shaughnessy	Stenographer
August	3	Adelaide Y. Heath	Stenographer
July	1	Harriet S. Mesick	Stenographer
February	10	Waldo L. Minton	Stenographer
March	1	Edna M. Sherwin	Stenographer
October	1	Truman L. Stone	Steward
November	1	William Parmlee	Steward
August	1	Newton Schermerhorn	Storekeeper
April	1	Frank Putnam	Superintendent
March	1	Charles O. Shepard	Superintendent
April	1	Ellen M. Putnam	Superintendent
June	8	J. Miller Brainerd	Treasurer
			Department of Public Works. Department of Public Instruction. Court of Appeals. Woman's Relief Corps Home, Oxford. Railroad Commission. Department of Public Works. Insurance Department. Auburn Prison. Forest Preserve Board. Forest Preserve Board. Forest Preserve Board. Railroad Commission. Thomas Orphan Asylum. Capitol Commissioner. State Board of Charities. Soldiers' and Sailors' Home, Bath. Insurance Department. Department of Excise. Forest Preserve Board. Department of Public Works. Department of Public Works. Department of Agriculture. Forest Preserve Board. Comptroller. Department of Public Works. Insurance Department. Insurance Department. Secretary of State. Banking Department. Craig Colony. House of Refuge, Albion. House of Refuge, Hudson. Woman's Relief Corps Home, Oxford. Soldiers' and Sailors' Home, Bath. Woman's Relief Corps Home, Oxford. Custodial Asylum, Rome.

APPOINTMENTS, CLASS II.

Date.	NAME.	Position.	Office.
1897.			
February 9	Laurence B. Lamb	Apothecary	Auburn Prison.
August 1	Leslie H. English	Apothecary	State Hospital, Buffalo.
October 18	David R. Dorn	Apothecary	Craig Colony, Sonyea.
November 10	Levant B. Batcheller	Apothecary	Craig Colony, Sonyea.
December 13	Levi N. Beebe *	Assistant clerk and bookkeeper, Sing Sing Prison.	
September 1	Bella Gould	Assistant matron	Comptroller.
1	Minnie J. Gould	Assistant matron	School for the Blind, Batavia.
April 16	L. V. Hallock	Assistant agriculturist	School for the Blind, Batavia.
July 30	Fred. D. Fuller	Assistant chemist	Agricultural Experiment Station, Jamaica.
30	Edwin B. Hart	Assistant chemist	Agricultural Experiment Station, Geneva.
September 16	Firman Thompson	Assistant chemist	Agricultural Experiment Station, Geneva.
January 1	Arnold Graf	Associate in biology	Agricultural Experiment Station, Geneva.
1	Henry H. Brook	Associate in bacteriology	Pathological Institute.
September 8	C. Judson Herrick	Associate in comparative neurology	Pathological Institute.
February 11	John D. Hallock	Assistant electrical engineer	State Hospital, Middletown.
January 6	William E. Creed	Assistant electrical engineer	State Hospital, New York city.
March 23	John J. Mulligan	Assistant electrical engineer	State Hospital, Willard.
April 20	John Engel, Jr.	Assistant electrical engineer	State Hospital, Willard.
August 30	Walter Cookson	Assistant electrical engineer	State Hospital, Brooklyn.
October 16	Edwin N. Brown	Assistant electrical engineer	Elmira Reformatory.
October 27	Thomas L. Griffin	Assistant electrical engineer	State Hospital, New York city.
January 6	Walter W. Edwards	Assistant steam engineer	State Hospital, Brooklyn.
January 20	John J. McDonough	Assistant steam engineer	State Hospital, Middletown.
March 5	Jacob C. Rundell	Assistant steam engineer	State Hospital, Brooklyn.
March 19	Edward M. Logan	Assistant steam engineer	Craig Colony, Sonyea.
April 19	William B. Armstrong	Assistant steam engineer	State Hospital, New York city.
November 1	Henry J. Lowe	Assistant steam engineer	State Hospital, New York city.
November 1	John Coddington	Assistant steam engineer	State Hospital, New York city.
December 15	Charles A. Alexander	Assistant steam engineer	Woman's Relief Corps Home, Oxford.
December 27	Alfred Johnson	Assistant steam engineer	Hospital, Middletown.

May	9	William A. L. Thomas.....	Assistant steward.....	State Hospital, Brooklyn.
March	1	John W. Elmes.....	Assistant steward.....	State Hospital, New York city.
January	7	Glen D. Holmes.....	Assistant civil engineer.....	State Engineer.
November	11	O. H. Peacock *.....	Assistant civil engineer.....	State Engineer.
	11	Elton R. Hooker.....	Assistant civil engineer.....	State Engineer.
	11	William B. Landreth.....	Assistant civil engineer.....	State Engineer.
	11	Foster B. Mores.....	Assistant civil engineer.....	State Engineer.
	11	G. Clinton Ward.....	Assistant civil engineer.....	State Engineer.
	11	Spencer J. Steward.....	Assistant civil engineer.....	State Engineer.
	11	Guy Moulton.....	Assistant civil engineer.....	State Engineer.
	11	Douglas Cornell.....	Assistant civil engineer.....	State Engineer.
	11	Edwin H. Thomas.....	Assistant civil engineer.....	State Engineer.
	11	Paul L. Schultze.....	Assistant civil engineer.....	State Engineer.
	11	William N. Taintor.....	Assistant civil engineer.....	State Engineer.
	11	Walter J. Towne.....	Assistant civil engineer.....	State Engineer.
	11	Newton F. Hopkins.....	Assistant civil engineer.....	State Engineer.
	11	F. H. Crafts.....	Assistant civil engineer.....	State Engineer.
	11	Arthur O'Brien.....	Assistant civil engineer.....	State Engineer.
	11	Marshall W. Brown.....	Assistant civil engineer.....	State Engineer.
	11	Noble E. Whitford.....	Assistant civil engineer.....	State Engineer.
	11	Willard W. Olney.....	Assistant civil engineer.....	State Engineer.
	11	Edward D. Rich.....	Assistant civil engineer.....	State Engineer.
	11	Garrett O. House.....	Assistant civil engineer.....	State Engineer.
January	25	Thomas Moran *.....	Attendant.....	Supreme Court, Brooklyn.
March	18	Edmund M. Parker *.....	Attendant.....	Supreme Court, Brooklyn.
August	1	William H. Catherwood *.....	Attendant.....	County Court, Brooklyn.
	1	George W. McCloskey.....	Attendant.....	County Court, Brooklyn.
May	1	Charles E. Bensel.....	Attendant.....	Supreme Court, New York city.
July	16	Samuel B. Bowne.....	Attendant.....	Thirteenth District Court, New York city.
	16	Valentine J. Hahn.....	Attendant.....	Thirteenth District Court, New York city.
	12	F. A. Honsiker.....	Bookkeeper.....	State Hospital, Utica.
June	11	Charles W. Sexsmith.....	Bookkeeper.....	Department of Excise.
May	1	Edgar J. Hazelton.....	Bookkeeper.....	Department of Excise.
January	7	Herbert L. Austin.....	Bookkeeper.....	Comptroller.
	11	Harry W. Brown.....	Bookkeeper.....	Comptroller.
February	1	Charles J. Flanagan.....	Bookkeeper.....	Special Commissioner of Jurors, N. Y. city.
December	6	Henry A. Watkins.....	Bookkeeper.....	Department of Excise.

* Veteran.

APPOINTMENTS CLASS II — (Continued).

Date.	NAME.	Position.	Office.
1897.			
December 6	Thompson R. Temple.....	Bookkeeper.....	Department of Excise.
16	Willard B. Farrington.....	Bookkeeper.....	Mattewan State Hospital.
May 1	Wellington D. Ives.....	Chief clerk.....	Board of Charities.
January 21	William J. Anderson *.....	Clerk.....	Onondaga County Court.
April 1	E. Stillman Doubleday *.....	Clerk, deputy.....	Supreme Court, Brooklyn.
1	Andrew McDonald.....	Clerk, deputy.....	Supreme Court, Brooklyn.
August 27	Charles E. Gantz *.....	Clerk.....	Railroad Commission.
September 14	Philip G. Roosa.....	Clerk.....	Commission of Prisons.
4	Bowen Staley.....	Clerk.....	Board of Health.
February 5	Kate Hulst.....	Clerk.....	Regents' Department.
April 5	Edward P. Lyons.....	Clerk and telegrapher.....	Elmira Reformatory.
May 10	John A. Weis.....	Clerk and telegrapher.....	Clinton Prison.
August 25	Willard J. Barnes.....	Chief steam engineer.....	State Hospital, Ogdensburg.
November 1	Louis E. Bonnaud.....	Chief steam engineer.....	State Hospital, New York city.
January 18	John C. Mulvihill.....	Chainman.....	State Engineer.
March 15	Horace M. Booth.....	Chainman.....	State Engineer.
November 11	Eugene F. Ryan.....	Chainman.....	State Engineer.
11	William H. Porter.....	Chainman.....	State Engineer.
11	Fred. B. Davis.....	Chainman.....	State Engineer.
11	Horace H. Albright.....	Chainman.....	State Engineer.
11	Harry A. Knapp.....	Chainman.....	State Engineer.
11	H. S. Van Valkenburgh.....	Chainman.....	State Engineer.
11	Harry C. Brown.....	Chainman.....	State Engineer.
11	Horace K. Burdick.....	Chainman.....	State Engineer.
11	Gerald M. Parce.....	Chainman.....	State Engineer.
11	Lawrence P. O'Keefe.....	Chainman.....	State Engineer.
11	Burt C. Van Buren.....	Chainman.....	State Engineer.
11	Fred. A. Bean.....	Chainman.....	State Engineer.
11	Lewis G. Fisher.....	Chainman.....	State Engineer.
11	Edgar B. Shufelt.....	Chainman.....	State Engineer.
11	Frederick B. Stoddard.....	Chainman.....	State Engineer.

11	Charles W. Swain	Chairman.....	State Engineer.
11	Howard G. Schermerhorn.....	Chairman.....	State Engineer.
11	Frank W. Adams.....	Chairman.....	State Engineer.
11	William K. Roberts	Chairman.....	State Engineer.
11	Frank H. Lomax	Chairman.....	State Engineer.
11	Dan D. Mead.....	Chairman.....	State Engineer.
11	Orra Westover	Chairman.....	State Engineer.
11	Carl G. Cunningham	Chairman.....	State Engineer.
11	William Powers.....	Chairman.....	State Engineer.
11	William H. O'Brien	Chairman.....	State Engineer.
11	John W. Inman	Chairman.....	State Engineer.
11	Dennis A. Sullivan	Chairman.....	State Engineer.
11	Theophilus Beupré.....	Chairman.....	State Engineer.
11	Luke F. Kelly.....	Chairman.....	State Engineer.
11	Raymond B. McDonald.....	Chairman.....	State Engineer.
15	Almond R. Newton.....	Chairman.....	State Engineer.
15	Frank L. Fonda.....	Chairman.....	State Engineer.
15	Alfred Gillis	Chairman.....	State Engineer.
15	William H. S. Morey	Chairman.....	State Engineer.
23	Thomas Howard	Chairman.....	State Engineer.
23	Jacob J. Stack	Chairman.....	State Engineer.
23	John Stobo, Jr	Chairman.....	State Engineer.
23	John D. Luther.....	Chairman.....	State Engineer.
1	Hugh C. Troy.....	Chemist.....	Department of Agriculture.
22	Theodore J. Bradley.....	Chemist.....	Department of Agriculture.
2	William E. Walker.....	Chemist.....	Department of Agriculture.
1	Duncan A. McConnell.....	Director, trade schools.....	Elmira Reformatory.
5	Alfred E. Upham.....	Director of schools.....	Elmira Reformatory.
17	William B. Anderson.....	Deputy factory inspector.....	Factory Inspector.
17	Daniel Kelly.....	Deputy factory inspector.....	Factory Inspector.
17	Charles L. Halberstadt, Jr.....	Deputy factory inspector.....	Factory Inspector.
17	M. J. Flanagan.....	Deputy factory inspector.....	Factory Inspector.
13	Lily F. Foster.....	Deputy factory inspector.....	Factory Inspector.
1	Mrs. Martha R. Almy	Deputy factory inspector.....	Factory Inspector.
1	Henry L. Schnur	Deputy factory inspector.....	Factory Inspector.
1	Arthur V. A. McHarg.....	Engineering draughtsman.....	State Engineer.
1	John A. O'Connor.....	Engineering draughtsman.....	State Engineer.

* Veteran.

† Temporary.

APPOINTMENTS CLASS II — (Continued).

Date.	NAME.	Position.	Office.
1897.			
March 8	Alexander Haring.....	Engineering draughtsman.....	State Engineer.
15	E. C. Olcott.....	Engineering draughtsman.....	State Engineer.
April 1	William McBride.....	Engineering draughtsman.....	State Engineer.
November 24	George Rae.....	Engineering draughtsman.....	State Engineer.
April 1	Frank H. Hall.....	Editor and librarian.....	Agricultural Experiment Station, Geneva.
March 9	Edward R. Evans.....	Expert penman.....	Regents' Department.
11	Frank J. Kniskern.....	Expert penman.....	Regents' Department.
16	George B. Graves.....	Expert penman.....	Executive Department.
11	Nelly Guardineer.....	Expert penman.....	Regents' Department.
February 12	Ralph B. Coleman.....	Electrical engineer.....	State Hospital, New York City.
January 18	Alice H. Hall.....	Examiner.....	Regents' Department.
February 1	Henry S. Knight.....	Examiner.....	Regents' Department.
1	Mary S. L. Strout.....	Examiner.....	Regents' Department.
February 19	Grace A. Jones.....	Examiner.....	Regents' Department.
January 18	Margaret Freeman.....	Examiner.....	Regents' Department.
March 3	Willis L. Weedon.....	First assistant physician.....	Regents' Department.
January 15	Leon P. Clark, M. D.....	First assistant physician.....	Regents' Department.
March 15	William L. Russell, M. D.....	First assistant physician.....	Regents' Department.
May 1	C. Spencer Kinney, M. D.....	First assistant physician.....	Craig Colony, Sonvea.
1	John T. Hagar.....	Guard.....	State Hospital, Willard.
1	John D. Murray.....	Guard.....	State Hospital, Middletown.
1	William H. Barnes.....	Guard.....	Auburn Prison.
1	Eugene Chapman.....	Guard.....	Auburn Prison.
1	A. W. Benedict.....	Guard.....	Auburn Prison.
1	Christian Haas*.....	Guard.....	Auburn Prison.
1	George N. Carr.....	Guard.....	Auburn Prison.
4	John C. Hieer.....	Guard.....	Auburn Prison.
12	Richard Quain.....	Guard.....	Auburn Prison.
April 1	E. A. Basten.....	Guard.....	Clinton Prison.
26	John E. Judget.....	Guard.....	Clinton Prison.
26	P. D. Hilliard.....	Guard.....	Clinton Prison.

May	1	George H. Brown.....	Guard.....	Clinton Prison.
	1	John H. Healey.....	Guard.....	Clinton Prison.
April	26	Thomas J. Douglass.....	Guard.....	Clinton Prison.
May	8	Edward F. Barrett.....	Guard.....	Clinton Prison.
August	24	Howard R. Safford.....	Guard.....	Sing Sing Prison.
July	5	Peter Baker.....	Guard.....	Elmira Reformatory.
	5	Thomas McLoughlin.....	Guard.....	Elmira Reformatory.
	5	Frank B. Thorn.....	Guard.....	Elmira Reformatory.
May	11	Alfred R. Pray.....	Guard.....	Elmira Reformatory.
August	11	William H. Shattuck.....	Guard.....	Elmira Reformatory.
	11	Delbert J. Boggs.....	Guard.....	Elmira Reformatory.
	11	William Erhart.....	Guard.....	Elmira Reformatory.
	11	Lewis W. Tebo.....	Guard.....	Elmira Reformatory.
	11	Fred J. Davis.....	Guard.....	Elmira Reformatory.
	11	Sidney T. Palmer.....	Guard.....	Elmira Reformatory.
March	12	Charles S. Holmes.....	Instructor, care and firing steam boilers.....	Industrial School, Rochester.
	12	Hadley W. McCrossen.....	Instructor, care and firing steam boilers.....	Industrial School, Rochester.
September	14	John S. Chapman.....	Instructor, care and firing steam boilers.....	Industrial School, Rochester.
October	5	James P. Finn.....	Instructor in book-binding.....	Industrial School, Rochester.
	5	James A. Ryan.....	Instructor in moulding.....	Elmira Reformatory.
November	16	Richard J. Punch.....	Instructor in upholstering.....	Industrial School, Rochester.
May	5	Gustave St. Albe*.....	Interpreter.....	Court of General Sessions, New York City.
	5	Baruch Miller.....	Interpreter.....	Supreme Court, Brooklyn.
	1	Wayland E. Stearns.....	Inspector, teachers' training classes.....	Department of Public Instruction.
	1	Willis D. Graves.....	Inspector, teachers' training classes.....	Department of Public Instruction.
	1	H. M. Leebucker.....	Inspector.....	Board of Charities.
September	1	Mary S. Oppenheimer.....	Inspector.....	Board of Charities.
	1	Frank Kunzman.....	Inspector.....	Board of Charities.
	1	James Bowne.....	Inspector.....	Board of Charities.
	1	Mrs. Mary W. Whited.....	Inspector.....	Board of Charities.
	1	Susan J. Hannahs.....	Inspector, public works.....	Department of Public Works.
January	7	Isaac L. Joramoman*.....	Inspector, public works.....	Department of Public Works.
	7	Lyman C. Wilder*.....	Inspector, public works.....	Department of Public Works.
	7	Ezra T. Clark*.....	Inspector, public works.....	Department of Public Works.

* Veteran.

† Temporary.

APPOINTMENTS CLASS II — (Continued).

Date.	NAME.	Position.	Office.
1897.			
January	LeRoy Whitney *	Inspector, public works.....	Department of Public Works.
7	Charles M. Leet *	Inspector, public works.....	Department of Public Works.
7	John H. Berard	Inspector, public works.....	Department of Public Works.
7	John Kenny, Jr.	Inspector, public works.....	Department of Public Works.
7	James D. Ringwood	Inspector, public works.....	Department of Public Works.
7	James W. Veeder.....	Inspector, public works.....	Department of Public Works.
7	L. M. Scofield.....	Inspector, public works.....	Department of Public Works.
7	William L. Sherrill.....	Inspector, public works.....	Department of Public Works.
18	H. Fay Allen.....	Inspector, public works.....	Department of Public Works.
14	John D. Van Bussum.....	Inspector, public works.....	Department of Public Works.
28	Charles B. Travis.....	Inspector, public works.....	Department of Public Works.
28	William D. Phelan.....	Inspector, public works.....	Department of Public Works.
28	Harry E. Staunard.....	Inspector, public works.....	Department of Public Works.
28	Francis R. Buel.....	Inspector, public works.....	Department of Public Works.
28	Charles W. Stickle.....	Inspector, public works.....	Department of Public Works.
28	Richard Coburn.....	Inspector, public works.....	Department of Public Works.
22	Robert Kellam.....	Inspector, public works.....	Department of Public Works.
22	John J. McNamara.....	Inspector, public works.....	Department of Public Works.
28	William N. Cook.....	Inspector, public works.....	Department of Public Works.
5	Dudley D. N. Marvin *	Inspector, public works.....	Department of Public Works.
5	William B. Landreth.....	Inspector, public works.....	Department of Public Works.
5	DeWitt F. Austin.....	Inspector, public works.....	Department of Public Works.
5	Robert N. Barnett.....	Inspector, public works.....	Department of Public Works.
5	James P. Shearer.....	Inspector, public works.....	Department of Public Works.
5	Samuel L. Aldcock.....	Inspector, public works.....	Department of Public Works.
5	Edward D. Bennett.....	Inspector, public works.....	Department of Public Works.
5	John Phillips.....	Inspector, public works.....	Department of Public Works.
5	A. H. Preston.....	Inspector, public works.....	Department of Public Works.
5	Thomas L. Hadlow.....	Inspector, public works.....	Department of Public Works.
5	Herbert J. Roith.....	Inspector, public works.....	Department of Public Works.
5	Alfred Evans.....	Inspector, public works.....	Department of Public Works.

5	Emmet R. Sweet.....	Inspector, public works.....	Department of Public Works.
5	James H. Jackson.....	Inspector, public works.....	Department of Public Works.
5	E. C. Parsons.....	Inspector, public works.....	Department of Public Works.
6	John Burns.....	Inspector, public works.....	Department of Public Works.
6	John C. Smith.....	Inspector, public works.....	Department of Public Works.
6	Horatio Jones *.....	Inspector, public works.....	Department of Public Works.
6	Washington Dayton *.....	Inspector, public works.....	Department of Public Works.
6	Houston Barnard.....	Inspector, public works.....	Department of Public Works.
6	George C. Mills.....	Inspector, public works.....	Department of Public Works.
6	Eugene C. Loveridge.....	Inspector, public works.....	Department of Public Works.
6	Clarence R. Neher.....	Inspector, public works.....	Department of Public Works.
6	William J. Gillis.....	Inspector, public works.....	Department of Public Works.
6	Harry M. Hooker.....	Inspector, public works.....	Department of Public Works.
6	John S. Clancy.....	Inspector, public works.....	Department of Public Works.
6	Frederick T. Clark.....	Inspector, public works.....	Department of Public Works.
6	Charles C. Barrett.....	Inspector, public works.....	Department of Public Works.
6	Frederick A. Brotsch.....	Inspector, public works.....	Department of Public Works.
6	Adelbert Birdsell.....	Inspector, public works.....	Department of Public Works.
6	Robert L. Burus.....	Inspector, public works.....	Department of Public Works.
6	Paul J. Gregory.....	Inspector, public works.....	Department of Public Works.
6	James Johnson, Jr.....	Inspector, public works.....	Department of Public Works.
6	William S. Shepard.....	Inspector, public works.....	Department of Public Works.
19	Thomas McMorrow.....	Inspector, public works.....	Department of Public Works.
19	Grover H. Woods.....	Inspector, public works.....	Department of Public Works.
19	Robert M. Walsh.....	Inspector, public works.....	Department of Public Works.
19	S. M. Brownell.....	Inspector, public works.....	Department of Public Works.
19	Edwin T. Perry.....	Inspector, public works.....	Department of Public Works.
19	Egbert P. Lincoln.....	Inspector, public works.....	Department of Public Works.
15	Martin T. Crahan.....	Inspector, public works.....	Department of Public Works.
15	B. I. Crooker.....	Inspector, public works.....	Department of Public Works.
15	Henry A. Kunze.....	Inspector, public works.....	Department of Public Works.
15	William F. Edgerton.....	Inspector, public works.....	Department of Public Works.
15	Victor H. Kline.....	Inspector, public works.....	Department of Public Works.
22	Anson J. Osborn *.....	Inspector, public works.....	Department of Public Works.
19	E. J. Green *.....	Inspector, public works.....	Department of Public Works.
19	Charles L. Tuttle.....	Inspector, public works.....	Department of Public Works.
19	M. J. Shenhan.....	Inspector, public works.....	Department of Public Works.

* Veteran.

APPOINTMENTS CLASS II — (Continued).

Date.	NAME.	Position.	Office.
1897.			
January 19	John C. Dillman.....	Inspector, public works.....	Department of Public Works.
19	Edward Ready.....	Inspector, public works.....	Department of Public Works.
19	Thomas F. Keurney.....	Inspector, public works.....	Department of Public Works.
February 26	John A. Miller.....	Inspector, public works.....	Department of Public Works.
26	William H. H. Klinkhart.....	Inspector, public works.....	Department of Public Works.
26	Elmer W. Keldierhouse.....	Inspector, public works.....	Department of Public Works.
26	Monty H. Gibson.....	Inspector, public works.....	Department of Public Works.
26	James Thornton.....	Inspector, public works.....	Department of Public Works.
26	Joseph H. Harris.....	Inspector, public works.....	Department of Public Works.
26	William H. Fleutwillin.....	Inspector, public works.....	Department of Public Works.
26	Charles E. Fogg.....	Inspector, public works.....	Department of Public Works.
26	P. H. Ryan.....	Inspector, public works.....	Department of Public Works.
26	William J. Dempsey.....	Inspector, public works.....	Department of Public Works.
26	John E. Drummond.....	Inspector, public works.....	Department of Public Works.
26	Fred. K. Hilt.....	Inspector, public works.....	Department of Public Works.
26	Albert H. Seabury.....	Inspector, public works.....	Department of Public Works.
3	Alton L. Van Tassle.....	Inspector, public works.....	Department of Public Works.
3	Walter S. Van Vorst.....	Inspector, public works.....	Department of Public Works.
3	John W. Flynn.....	Inspector, public works.....	Department of Public Works.
3	James W. Hurley.....	Inspector, public works.....	Department of Public Works.
3	Alvah P. Gregg.....	Inspector, public works.....	Department of Public Works.
3	James Quinn.....	Inspector, public works.....	Department of Public Works.
3	David H. Lewis.....	Inspector, public works.....	Department of Public Works.
17	John A. Donald.....	Inspector, public works.....	Department of Public Works.
17	Converse E. Martin.....	Inspector, public works.....	Department of Public Works.
17	George T. DeForest.....	Inspector, public works.....	Department of Public Works.
17	O. R. Sheldon.....	Inspector, public works.....	Department of Public Works.
17	Peter Quinn.....	Inspector, public works.....	Department of Public Works.
17	Charles Wallace.....	Inspector, public works.....	Department of Public Works.
5	Henry McMullen.....	Inspector, public works.....	Department of Public Works.
12	Thomas Quinn.....	Inspector, public works.....	Department of Public Works.

February	23	Joseph E. McNary	Inspector, public works.	Department of Public Works.
March	15	James L. Decker*	Inspector, public works.	Department of Public Works.
	15	Joseph Hanigan.	Inspector, public works.	Department of Public Works.
	12	Harry F. Bascom	Inspector, public works.	Department of Public Works.
	3	W. R. Borst.	Inspector, public works.	Department of Public Works.
	5	Johnston Hastings	Inspector, public works.	Department of Public Works.
	20	David Wilkinson*	Inspector, public works.	Department of Public Works.
	20	R. F. Wilcox*	Inspector, public works.	Department of Public Works.
	20	W. S. Taft.*	Inspector, public works.	Department of Public Works.
	24	H. J. Copland	Inspector, public works.	Department of Public Works.
	24	A. E. Coy	Inspector, public works.	Department of Public Works.
March	30	C. C. Burns	Inspector, public works.	Department of Public Works.
	30	Emerson G. Hildley	Inspector, public works.	Department of Public Works.
	30	James W. Busted.	Inspector, public works.	Department of Public Works.
	30	M. J. Mulloy	Inspector, public works.	Department of Public Works.
April	7	William H. Ross*	Inspector, public works.	Department of Public Works.
	7	John G. Sweeney	Inspector, public works.	Department of Public Works.
	7	James Sim	Inspector, public works.	Department of Public Works.
	7	C. D. Dutcher	Inspector, public works.	Department of Public Works.
March	1	O. T. Humphrey	Inspector, public works.	Department of Public Works.
	24	C. F. Thompson*	Inspector, public works.	Department of Public Works.
	19	W. H. Spencer*	Inspector, public works.	Department of Public Works.
	24	R. H. Crippen*	Inspector, public works.	Department of Public Works.
	24	James Robinson*	Inspector, public works.	Department of Public Works.
	24	B. W. Moon*	Inspector, public works.	Department of Public Works.
	25	John F. Skinner	Inspector, public works.	Department of Public Works.
	30	H. J. Woodon	Inspector, public works.	Department of Public Works.
	30	William Shine	Inspector, public works.	Department of Public Works.
	30	Fred. C. Traugott	Inspector, public works.	Department of Public Works.
April	2	C. H. Beckwith	Inspector, public works.	Department of Public Works.
	2	W. C. Armstrong	Inspector, public works.	Department of Public Works.
	3	D. A. Margille.	Inspector, public works.	Department of Public Works.
	3	Jacob Kolb	Inspector, public works.	Department of Public Works.
	3	H. F. Hughes	Inspector, public works.	Department of Public Works.
March	3	John M. Keyes, M. D.	Junior physician	State Hospital, New York City.
	10	John A. Hill, M. D.	Junior physician	State Hospital, New York City.
	23	S. H. MacGillivray, M. D.	Junior physician	State Hospital, New York City.

* Veteran.

APPOINTMENTS CLASS II — (Continued).

Date.	NAME.	Position.	Office.
1897.			
March	C. J. Patterson, M. D.	Junior physician	State Hospital, New York City.
April	J. O. Stranahan, M. D.	Junior physician	State Hospital, Poughkeepsie.
	Arthur P. Powelson, M. D.	Junior physician	State Hospital, Middletown.
	Arthur J. Capron, M. D.	Junior physician	State Hospital, New York City.
	Frank G. Hyde, M. D.	Junior physician	State Hospital, New York City.
	Anton Heger, Jr., M. D.	Junior physician	State Hospital, New York City.
May	James R. Horner, M. D.	Junior physician	State Hospital, Middletown.
	Edward A. Hoffman, M. D.	Junior physician	State Hospital, Brooklyn.
July	M. D. Hughes, M. D.	Junior physician	State Hospital, Buffalo.
	Henry L. K. Shaw, M. D.	Junior physician	State Hospital, Utica.
August	Horace W. Eggleston, M. D.	Junior physician	State Hospital, Binghamton.
September	Hiram Elliott, M. D.	Junior physician	State Hospital, New York City.
October	Frederick T. Clark, M. D.	Junior physician	State Hospital, Poughkeepsie.
August	D. E. Francisco, M. D.	Junior physician	State Hospital, Middletown.
November	Baron R. Nairn, M. D.	Junior physician	State Hospital, New York City.
	Francis M. Furlong, M. D.	Junior physician	State Hospital, Matteawan.
	Cecil MacCoy, M. D.	Junior physician	State Hospital, Binghamton.
	Amasa P. Muir, M. D.	Junior physician	State Hospital, New York City.
	W. G. Ryon, M. D.	Junior physician	State Hospital, New York City.
	H. R. Humphries, M. D.	Junior physician	State Hospital, New York City.
December	Charles E. Norris, M. D.	Junior physician	State Hospital, New York City.
	John H. Crosby, M. D.	Junior physician	State Hospital, New York City.
	John M. Holt, M. D.	Junior physician	State Hospital, New York City.
January	Elizabeth Eisenmann	Junior clerk	Regents' Department.
	Regina G. Cook	Junior clerk	Regents' Department.
	Mary C. G. Martin	Junior clerk	Regents' Department.
	Charles J. Cull	Junior clerk	Regents' Department.
February	William J. Wilson	Junior clerk	Regents' Department.
	Florence R. Derby	Junior clerk	Regents' Department.
	Agnes T. Ryan	Junior clerk	Regents' Department.
	John Evans	Junior clerk	Regents' Department.

February	1	Harry C. Powell.....	Junior clerk.....	Regents' Department.
	1	Mabel H. Dunstaff.....	Junior clerk.....	Regents' Department.
October	5	Francis X. Thompson.....	Junior clerk.....	Regents' Department.
	14	Gertrude R. Galicenstein.....	Junior clerk.....	Regents' Department.
	14	E. Stanley Frost.....	Junior clerk.....	Regents' Department.
	14	George D. Burton.....	Junior clerk.....	Regents' Department.
	18	Nora A. Sheely.....	Junior clerk.....	Regents' Department.
	18	Emily L. Gibbs.....	Junior clerk.....	Regents' Department.
	18	Ruth Kemper.....	Junior clerk.....	Regents' Department.
March	31	Thomas H. McGarrick.....	Janitor.....	Thirteenth District Court, New York City.
December	15	Grace R. Jewett.....	Kindergartner.....	School for the Blind, Batavia.
January	2	James Burden.....	Leveler.....	State Engineer.
March	25	J. O. Shipman.....	Leveler.....	State Engineer.
December	17	Louis Hall.....	Leveler.....	State Engineer.
	17	H. J. Coupland.....	Leveler.....	State Engineer.
	17	Rutger B. Green.....	Leveler.....	State Engineer.
	17	H. C. Humphreys.....	Leveler.....	State Engineer.
	17	K. J. Marcher.....	Leveler.....	State Engineer.
	17	Fred. E. Gordon.....	Leveler.....	State Engineer.
	17	Warner W. Gilbert.....	Leveler.....	State Engineer.
	17	Fred. J. Knight.....	Leveler.....	State Engineer.
	17	Charles G. Moore.....	Leveler.....	State Engineer.
	17	Egbert P. Lincoln.....	Leveler.....	State Engineer.
	17	Lynn N. Scofield.....	Leveler.....	State Engineer.
	17	Seth M. Van Loan.....	Leveler.....	State Engineer.
	17	Frederick Edwards.....	Leveler.....	State Engineer.
	17	Edward P. Folger.....	Leveler.....	State Engineer.
	17	Alex. Haring.....	Leveler.....	State Engineer.
	17	Carl L. Bannister.....	Leveler.....	State Engineer.
	17	Edwin V. E. Payue.....	Leveler.....	State Engineer.
	17	Irving Hawkins.....	Leveler.....	State Engineer.
	17	Charles E. Cleaver.....	Leveler.....	State Engineer.
	17	Joseph Barrett.....	Leveler.....	State Engineer.
	17	B. E. Failing.....	Leveler.....	State Engineer.
	17	Charles A. Sullivan.....	Leveler.....	State Engineer.
	23	Clarence A. Young.....	Leveler.....	State Engineer.
	23	Sanford L. Vossler.....	Leveler.....	State Engineer.
	28	Charles M. Edwards.....	Leveler.....	State Engineer.

APPOINTMENTS, CLASS II — (Continued).

Date.	NAME.	Position.	Office.
1897.			
December 28	Frank A. Snyder	Leveler	State Engineer.
August 16	Anna L. Morse	Library assistant	State Library.
August 16	Elizabeth P. Andrews	Library assistant	State Library.
September 1	James I. Wyer, Jr.	Library assistant	State Library.
January 1	William F. Corley	Librarian	Law Library, Newburgh.
April 20	Charles A. Warren	Milk expert	Department of Agriculture.
May 1	Abram L. Haines	Milk expert	Department of Agriculture.
July 22	John E. Kruse	Milk expert	Department of Agriculture.
July 22	Wellington C. Patrick	Milk expert	Department of Agriculture.
July 22	Robert B. Kirkland	Milk expert	Department of Agriculture.
July 22	Almond M. Kilbe *	Milk expert	Department of Agriculture.
July 22	Charles T. Russell	Milk expert	Department of Agriculture.
August 30	Fred. C. Slaughter	Milk expert	Department of Agriculture.
March 27	Alonzo Cooper * †	Messenger	Department of Agriculture.
September 27	Abram M. Hays * †	Messenger	Department of Agriculture.
September 6	Lura Sinclair	Matron	Agricultural Experiment Station, Geneva.
November 1	Allura Barrington	Matron	Agricultural Experiment Station, Geneva.
May 1	Cora G. Holcomb	Medical stenographer	State Hospital, Binghamton.
March 1	Baron E. Nairn, M. D.	Medical interne	State Hospital, Poughkeepsie.
March 24	Edwin G. Klein, M. D.	Medical interne	Pathological institute.
April 12	Walter J. Howells, M. D.	Medical interne	State Hospital, New York City.
March 16	Walter N. Clark, M. D.	Medical interne	State Hospital, Willard.
March 24	Godfrey Pittie, M. D.	Medical interne	State Hospital, Ogdensburg.
August 9	Robert Mason, M. D.	Medical interne	State Hospital, New York City.
August 23	J. Willard Travell, M. D.	Medical interne	State Hospital, New York City.
July 21	Edward G. Stout, M. D.	Medical interne	State Hospital, Ogdensburg.
July 5	Clarence A. Potter, M. D.	Medical interne	State Hospital, Middletown.
August 28	Clarence J. Sloanum, M. D.	Medical interne	State Hospital, Poughkeepsie.
December 23	Edward L. Parker, M. D.	Medical interne	State Hospital, Brooklyn.
December 2	Erving Holley, M. D.	Medical interne	State Hospital, New York City.
December 8	Edward A. Everett, M. D.	Medical interne	State Hospital, Middletown.

December 15	Marie L. Benolt, M. D.	Medical interne	State Hospital, Craig Colony.
January 21	Percy Bryant, M. D.	Medical superintendent	State Hospital, New York City.
February 3	George Allen, M. D.	Medical superintendent	Collins State Homeopathic Hospital.
December 31	Herman C. Everts, M. D.	Medical superintendent	Long Island State Hospital.
November 5	Emmett O'Brien	Manual training instructor	Industrial School, Rochester.
January 8	Elliot C. Irvin	Organist	Industrial School, Rochester.
May	William E. Van Koughnet	Pathological clerk	Pathological Institute.
1	Fred. J. Coons	Page	Lunacy Commission.
1	Robert A. Dyer*	Registrar of vital statistics	Board of Health, Auburn.
1	Charles M. Smith	Rodman	State Engineer.
February	Charles A. Sullivan	Rodman	State Engineer.
5	Carroll Blake	Rodman	State Engineer.
March 24	John C. Riebel	Rodman	State Engineer.
December 17	Frederick C. Grant	Rodman	State Engineer.
17	Clarence D. Kingsley	Rodman	State Engineer.
17	J. Irving Gayetty	Rodman	State Engineer.
17	Charles A. Bradley	Rodman	State Engineer.
17	Frank M. Williams	Rodman	State Engineer.
17	Willis H. Jenkins	Rodman	State Engineer.
17	Pitson J. Cleaver	Rodman	State Engineer.
17	Charles A. Hunt	Rodman	State Engineer.
17	Gardner L. Van Dusen	Rodman	State Engineer.
17	Max Blum	Rodman	State Engineer.
17	Maurice W. Tuttle	Rodman	State Engineer.
17	Francis L. Hurlbut	Rodman	State Engineer.
17	Emerson H. Steward	Rodman	State Engineer.
17	M. S. MacDiarmid	Rodman	State Engineer.
17	Paul A. Meyer	Rodman	State Engineer.
17	Ray S. Palmer	Rodman	State Engineer.
17	John C. Ranney	Rodman	State Engineer.
17	Orson C. Richards	Rodman	State Engineer.
17	George E. Cook	Rodman	State Engineer.
17	Clinton J. Bean	Rodman	State Engineer.
17	Avery Wilcox	Rodman	State Engineer.
24	Frank L. Getman	Rodman	State Engineer.
31	Gilbert Young	Rodman	State Engineer.
April 27	Hiram C. Case	Statistical clerk	Department of Public Instruction.

* Veteran.

† Temporary.

APPOINTMENTS, CLASS II — (Continued).

Date.	NAME.	Position.	Office.
1897.			
March 12	Cleophas Corbett.....	Superintendent, cloth-making.....	Auburn Prison.
March 12	Warren J. Chambers	Superintendent, printing	Sing Sing Prison.
May 1	James H. Bean *.....	Superintendent, cabinetmaking.....	Auburn Prison.
April 29	Pennington Watson *.....	Superintendent, Goodyear shoe industry	
September 27	Harry Watson.....	Superintendent, Goodyear shoe industry	Sing Sing Prison.
July 9	Samuel Patterson	Superintendent of knitting	Sing Sing Prison.
October 1	Frances O. Abbott.....	Superintendent	Clinton Prison.
September 23	Leonard W. Hatch	Statistician	House of Refuge, Hudson.
September 23	David J. Naughtin	Statistician	Bureau of Statistics of Labor.
July 30	Herbert A. Briggs	Stenographer	Bureau of Statistics of Labor.
February 4	William M. Davis	Stenographer	Supreme Court, Brooklyn.
March 3	Charles J. Doyle.....	Stenographer	State Hospital, Buffalo.
April 8	James H. Fish.....	Stenographer	Special Commissioner of Juries, N. Y. City.
January 1	Lulu Dillenbeck.....	Stenographer	Thirteenth District Court, New York City.
February 1	Caroline L. Herzog.....	Stenographer	Tax Commissioners.
February 15	Claude J. Wilkinson.....	Stenographer	State Historian.
January 2	Anna R. Keyes.....	Stenographer	Clinton Prison.
January 2	Frances J. Wade.....	Stenographer	State Historian.
April 1	Anna M. Prescott.....	Stenographer	Department of Excise.
February 4	Mary R. Franklin.....	Stenographer	Secretary of State.
January 18	Grace M. Barrows.....	Stenographer	Civil Service Commission.
January 1	Elizabeth Murray.....	Stenographer	State Hospital, New York City.
April 1	Elizabeth Murray.....	Stenographer	Department of Excise.
January 4	Jane E. Furman.....	Stenographer	Secretary of State.
August 1	Jane E. Furman.....	Stenographer	Comptroller.
July 19	Helen F. Rosman.....	Stenographer	Department of Excise.
July 30	Charles W. Gould.....	Stenographer	Department of Agriculture.
May 8	Clarence A. Devlin.....	Stenographer	Court of Special Sessions, New York City.
May 10	Karl F. Colson	Stenographer	State Hospital, New York City.

September 8	Jennie Terwilliger.....	Stenographer.....	Department of Agriculture.
August 11	Jennie Terwilliger †	Stenographer.....	Civil Service Commission.
July 26	Mary M. Flanagan.....	Stenographer.....	Department of Excise.
August 25	Amy L. Blunt.....	Stenographer.....	State Hospital, Brooklyn.
September 1	Jessie McAnn.....	Stenographer.....	State Hospital, Rochester.
September 27	Elizabeth A. Dowd.....	Stenographer.....	Department of Agriculture.
23	Ida A. Johnston.....	Stenographer.....	State Hospital, New York City.
October 1	William L. Buck.....	Stenographer.....	State Hospital, Brooklyn.
August 5	Florence L. Hummell †	Stenographer.....	Civil Service Commission.
June 2	Charles W. Gould.....	Stenographer.....	State Hospital, New York City.
May 1	John C. McDonough.....	Special excise agent.....	Department of Excise.
April 30	M. J. McPhillips.....	Special excise agent.....	Department of Excise.
January 11	Harlan M. Fisher.....	Special excise agent.....	Department of Excise.
January 21	George P. Pudney.....	Special excise agent.....	Department of Excise.
July 16	George W. Smith.....	Special excise agent.....	Department of Excise.
January 23	John B. Van Petten *.....	Special excise agent.....	Department of Excise.
22	Jacob M. Blatner.....	Special excise agent.....	Department of Excise.
May 11	Edward McLeer *.....	Special excise agent.....	Department of Excise.
11	George D. Chichester.....	Special excise agent.....	Department of Excise.
September 15	William T. Glover.....	Special excise agent.....	Department of Excise.
July 28	Ferdinand Dreyer.....	Special excise agent.....	Department of Excise.
28	Charles A. Smith.....	Special excise agent.....	Department of Excise.
28	Charles P. Sanford.....	Special excise agent.....	Department of Excise.
28	John A. Wilbur.....	Special excise agent.....	Department of Excise.
9	William H. Liddle.....	Special excise agent.....	Department of Excise.
September 11	Carrie A. Johnson.....	Teacher.....	Department of Excise.
August 24	Florence M. Stacey.....	Teacher.....	Industrial School, Rochester
			Institution for Feeble-Minded Children, Syracuse.
December 1	John E. Livermore.....	Teacher.....	Thomas Orphan Asylum.
31	Edward H. Leggett.....	Tax clerk.....	Attorney-General.
January 21	Natalie Steinbrenner †	Typewriter.....	Special Commissioner of Jurors, N. Y. City.
April 1	Edward F. Burke.....	Vinegar expert.....	Department of Agriculture.
August 19	James E. Langdon.....	Vinegar expert.....	Department of Agriculture.
19	Clayton J. Standart.....	Vinegar expert.....	Department of Agriculture.
January 6	Caroline M. Stengel.....	Woman physician.....	State Hospital, Brooklyn.

* Veteran.

† Temporary.

PROVISIONAL APPOINTMENTS, RULE VIII, SECTION 5.

Date.	NAME.	Position.	Office.
1897.			
February 23	Samuel Bookman, M. D.....	Acting associate, physiological chemistry.....	Pathological Institute.
September 17	A. A. Beattie.....	Building inspector.....	Capitol Commissioner.
September 17	S. J. Mee.....	Building inspector.....	Capitol Commissioner.
January 15	H. C. Humphrey.....	Draughtsman.....	Engineer and Surveyor.
February 10	Eugene C. Olcott.....	Draughtsman.....	Engineer and Surveyor.
August 3	W. E. Dunne.....	Engineer.....	Woman's Relief Corps Home, Oxford.
January 9	Mrs. Susan J. Hannahs.....	Inspector.....	Board of Charities.
January 9	Frank Kunzman.....	Inspector.....	Board of Charities.
January 9	James Bowne.....	Inspector.....	Board of Charities.
January 9	Mrs. Cornelia K. Hood.....	Inspector.....	Board of Charities.
August 15	John M. Poole.....	Instructor bookbinding.....	Industrial School, Rochester.
October 15	Emmett O'Brien.....	Instructor manual training.....	Industrial School, Rochester.
March 12	James O'Neill.....	Instructor shoe industry.....	Sing Sing Prison.
January 9	Daniel W. Ross.....	Overseer of photography.....	Elmira Reformatory.
May 7	Irving W. Davey.....	Plumber and steamfitter.....	Middletown State Hospital.
January 30	John J. Carr.....	Steamfitter.....	Middletown State Hospital.
December 6	Fred S. Smith.....	Storekeeper.....	Custodial Asylum, Rome.
February 18	Warren J. Chambers.....	Supt. printing industry.....	Sing Sing Prison.
April 19	Thomas R. Hughes.....	Tinsmith.....	Elmira Reformatory.

APPOINTMENTS — HEALTH OFFICERS — RULE VIII, SECTION 7 — 1897.

NAME.	Village.	County.
John P. Heyer, M. D.....	Northport.....	Suffolk.
Frank L. Winsor, M. D.....	Laurens.....	Otsego.
M. C. Belknap, M. D.....	Mayville.....	Chautauqua.
Jared A. Reed, M. D.....	Newark.....	Wayne.
A. L. Browne, M. D.....	Cornwall.....	Orange.
Clarence C. Miles, M. D.....	Greenport.....	Suffolk.
Frank B. Ryan, M. D.....	Moravia.....	Cayuga.
F. W. Scott, M. D.....	Medina.....	Orleans.
H. P. Palmer, M. D.....	Hilton.....	Monroe.
J. H. Moon, M. D.....	Cooperstown.....	Otsego.
F. D. Vanderhoff, M. D.....	Phelps.....	Ontario.
Clarence R. Spencer, M. D.....	Angelica.....	Allegany.
J. M. Winslow, M. D.....	Nelsonville.....	Putnam.
E. Ross Elliott, M. D.....	Montgomery.....	Orange.
Medina Preston, M. D.....	Waterville.....	Oneida.
D. C. Rodenhurst, M. D.....	Philadelphia.....	Jefferson.
F. F. Comstock, M. D.....	Ilion.....	Herkimer.
Byron D. Nellis, M. D.....	Weedsport.....	Cayuga.
B. F. Chase, M. D.....	East Syracuse.....	Onondaga.
S. C. Warren, M. D.....	Jordan.....	Onondaga.
William Taylor, M. D.....	Canastota.....	Madison.
H. M. Auger, M. D.....	Jamaica.....	Queens.
C. V. Hasbrouck, M. D.....	Rosendale.....	Ulster.
Henry C. Smith, M. D.....	Ellenville.....	Ulster.
Timothy S. Fish, M. D.....	Wolcott.....	Wayne.
E. C. Law, M. D.....	Plattsburg.....	Clinton.
J. J. Lyons, M. D.....	Schaghticoke.....	Rensselaer.
George A. Peck, M. D.....	New Rochelle.....	Westchester.

**APPOINTMENTS—HEALTH OFFICERS—RULE VIII, SECTION 7—
1897—(Concluded).**

NAME.	Town.	County.
Frank L. Winsor, M. D.....	Laurens	Otsego.
A. M. Goodman, M. D.....	Cornwall.....	Orange.
Melvin L. Adams, M. D.....	Chautauqua	Chautauqua.
J. C. Lovejoy, M. D.....	Edinburg	Saratoga.
H. D. Snover, M. D.....	Cold Spring	Cattaraugus.
P. J. McPherson, M. D.....	Veteran	Chemung.
James D. Guy, M. D.....	Chenango	Broome.
H. C. Finch, M. D.....	Perth	Fulton.
Horace D. Merwin, M. D.....	Cicero	Onondaga.
E. H. Waklee, M. D.....	Big Flats.....	Chemung.
E. L. Teed, M. D.....	Lisle	Broome.
Frank B. Ryan, M. D.....	Moravia.....	Cayuga.
F. D. Williamson, M. D.....	Hornellsville	Steuben.
Nelson H. Griffin, M. D.....	Cairo	Greene.
C. A. Chaloner, M. D.....	Stephentown	Rensselaer.
Wm. H. Heist, M. D.....	Dix	Schuyler.
John H. Martin, M. D.....	Otego	Otsego.
Elton J. Palmer, M. D.....	New Paltz.....	Ulster.
Robert T. Saville, M. D.....	Moriah.....	Essex.
R. M. Evarts, M. D.....	Hanover	Chautauqua.
A. T. Bacon, M. D.....	Birdsall	Allegany.
William H. Dewing, M. D.....	Paris.....	Oneida.
J. R. McElroy, M. D.....	Clifton Park.....	Saratoga.
C. Howard, M. D.....	Dayton	Cattaraugus.
W. M. Hodges, M. D.....	Pelham	Westchester.

APPOINTMENTS WITHOUT EXAMINATION, CLASS II — RULE VIII, SECTION 7 — 1897.

Date.	NAME.	Position.	Office.
November 1	John Hanway	Eastern agent	Soldiers' and Sailors' Home, Bath.
October 1	Edmund Savage	Expert and scientific specialist	Bureau of Labor Statistics.
November 3	A. M. Stuckert	Expert draughtsman	Capitol Commissioner.
1	Dr. R. M. Bagg, Jr.	Expert	State Museum.
October 18	Nellie Atkinson	Nurse	School for the Blind, Batavia.
1	Lucien Howe, M. D.	Ophthalmic physician	School for the Blind, Batavia.

LIST OF DEATHS, PROMOTIONS AND TRANSFERS IN, AND REMOVALS AND RESIGNATIONS FROM THE PUBLIC SERVICE, REPORTED SINCE THE LAST ANNUAL REPORT.

DEATHS.

NAME.	Position.	Date of appointment.	Date of death.
James I. Hart	Sergeant of guard, Clinton Prison	March 27, 1892	January 9, 1897
E. A. Ayers	Agent, Department of Agriculture	July 1, 1892	January 13, 1897
James Butler	Orderly, Department Public Buildings	March 1, 1891	February 1, 1897
Henry Van Scoye	Carpenter, Department Public Buildings	October 1, 1886	February 13, 1897
James Paterson	Fireman, Department Public Buildings	March 1, 1895	April 15, 1897
D. W. Fiearick	Keeper, Sing Sing Prison	February 12, 1892	April 20, 1897
S. J. Eshbaugh	Orderly, Department Public Buildings	April 1, 1895	April 30, 1897
John L. Peake	Assistant steam engineer, Manhattan State Hospital	July 1, 1892	June 10, 1897
Chester Utter	Shelf clerk, State Library	April 3, 1891	June 15, 1897
George F. Athearn	Clerk, Commissioners Niagara Reservation	July 16, 1885	June 18, 1897
William C. Wey, M. D.	Manager, Elmira Reformatory	April 30, 1895	June 30, 1897
Susan Love	Teacher, Industrial School, Rochester	September 1, 1895	July 8, 1897
J. J. Scanlon	Special agent, Department of Excise	July 28, 1896	July 15, 1897
Mary F. Ray	Voucher clerk, Commission in Lunacy	April 18, 1894	September 15, 1897
H. M. Birkett	Eastern agent, Soldiers' and Sailors' Home .....	..... ..	October 21, 1897
Gorham Parks	Clerk, Court of Appeals	January 24, 1889	October 26, 1897
George Allen, M. D.	Superintendent, Collins State Homeopathic Hospital	February 3, 1897	November 15, 1897
Homer Bennett	Assistant engineer, Binghamton State Hospital .....	..... ..	November 18, 1897
William L. Proctor	Manager, St. Lawrence State Hospital	February 27, 1893	November 19, 1897
William H. Burbans	Clerk, Capitol Commissioner	May 24, 1890	November 19, 1897
Tiras H. Ferris	Financial clerk, Department of Public Instruction	June 1, 1895	December 9, 1897
Charles R. Payn	Assistant commissioner, Department of Agriculture	October 1, 1896	December 25, 1897
Jesse Wishart	Guard, Auburn Prison	May 2, 1894	December 25, 1897
William J. Osborne	Justice, Supreme Court, second district	January 1, 1887 .....	..... ..
Marcus U. Mitchell	Local expert surveyor, State Land Survey	June 11, 1895 .....	..... ..
James F. Gluck	Attorney, Buffalo State Hospital	September 27, 1897 .....	..... ..

PROMOTIONS.

NAME.	Position	Date of promotion.
B. C. Tiesing, M. D.	Junior to assistant physician, Manhattan State Hospital, \$1,000 to \$1,200.	1897. January 1
Arthur C. Delacroix, M. D.	Junior to assistant physician, Manhattan State Hospital, \$1,000 to \$1,200.	January 1
John Riordan, M. D.	Junior to assistant physician, Manhattan State Hospital, \$1,000 to \$1,200.	January 1
Edward H. Pindar	Tax clerk, Comptroller, \$1,800 to \$2,000.	January 1
Mary K. Cox	Index clerk, Comptroller, \$600 to \$720.	January 1
M. J. Cunningham	Keeper to hallkeeper, Auburn Prison, \$800 to \$1,200.	January 4
L. Pierce Clark, M. D.	Assistant to first assistant physician, Craig Colony, \$1,200 to \$1,500.	January 15
Constantine Bjerring, M. D.	Junior to assistant physician, Manhattan State Hospital, \$900 to \$1,200.	February 1
Hunter A. Bond, M. D.	Junior to assistant physician, Manhattan State Hospital, \$900 to \$1,200.	February 1
Horatio C. Gibson, M. D.	Junior to assistant physician, Manhattan State Hospital, \$900 to \$1,200.	February 1
Winslow M. Mead	Corresponding clerk, Department of Public Works, \$2,500 to \$3,000.	February 1
Edward L. Walsh	Assistant financial clerk, Department of Public Works, \$2,200 to \$2,500.	February 1
Edward M. Logan	Fireman to assistant steam engineer, Craig Colony, \$360 to \$600.	February 1
Miss E. M. Munn	Stenographer, Insurance Department, \$900 to \$1,200.	March 1
Byron M. Child	Bookkeeper to confidential clerk, Charitable Department, \$1,200 to \$1,400.	March 1
A. B. Strough	Special agent, Fisheries, Game and Forest Commission, \$1,200 to \$1,400.	March 1
Charles R. Webber	Stenographer, Comptroller, \$1,300 to \$1,400.	April 1
Henry J. Flanagan	Nurse to bookkeeper, Craig Colony, \$360 to \$840.	April 1
J. O. Strauchan, M. D.	Medical interne to junior physician, Hudson River State Hospital, \$600 to \$900.	April 1
E. Stillman Doubleday	Attendant to deputy clerk, Supreme Court, second district, \$1,200 to \$2,500.	April 1
Andrew McDonald	Attendant to deputy clerk, Supreme Court, second district, \$1,200 to \$2,500.	April 1
E. H. Williams, M. D.	Assistant physician, Matteawan State Hospital, \$900 to \$1,200.	April 1
Arthur P. Powelson, M. D.	Medical interne to junior physician, Middletown State Hospital, \$720 to \$900.	April 1
George W. Bliss	Bookkeeper, Comptroller, \$1,600 to \$1,800.	April 1
Frank H. Braudow	Tax clerk, Comptroller, \$1,400 to \$1,500.	April 1
Marcus B. Williams	Tax clerk, Comptroller, \$1,600 to \$1,800.	April 1
Norman B. Martin	Tax clerk, Comptroller, \$1,200 to \$1,350.	April 1
Miles G. Graham	Tax clerk, Comptroller, \$1,400 to \$1,500.	April 1
E. F. Burke	Agent, Department of Agriculture, \$720 to \$900.	April 1
Frank G. Hyde, M. D.	Medical interne, St. Lawrence State Hospital, to junior physician, Manhattan State Hospital, \$600 to \$900.	April 17

PROMOTIONS — (Continued).

NAME.	Position.	Date of promotion.
C. H. Nichols.....	Rodman to leveler, engineer and surveyor, \$3.50 to \$4.50 per day.	1897. April 24
Charles S. Kinney, M. D.....	Assistant to first assistant physician, Middletown State Hospital, \$2,000 to \$3,000....	May 1
Barlow A. Whitford.....	Porter, Department of Public Instruction, \$900 to \$1,200.....	May 1
Allon Tupper.....	Keeper to kitchen keeper, Auburn Prison, \$900 to \$1,200.....	May 1
James Bulger.....	Guard to keeper, Sing Sing Prison, \$780 to \$900.....	May 1
J. J. Griffin.....	Guard to keeper, Sing Sing Prison, \$780 to \$900.....	May 1
Harry W. Brown.....	Bookkeeper, Comptroller, \$1,350 to \$1,500.....	May 1
George S. Leonard.....	Examiner, Banking Department, \$13 to \$15 per day, actual time.....	May 1
H. M. Riffe.....	Guard to keeper, Elmira Reformatory.....	May 1
J. Lamoroux.....	Guard to keeper, Elmira Reformatory.....	May 1
Hugh C. Troy.....	Chemist, Department of Agriculture, \$900 to \$1,200.....	May 1
Edward J. Wheeler.....	Chemist, Department of Agriculture, \$1,800 to \$2,000.....	May 1
Edward A. Hoffman, M. D.....	Medical interne to junior physician, Long Island State Hospital, \$600 to \$900.....	May 12
Edgar W. Cook.....	Assistant clerk to clerk, Sing Sing Prison, \$1,500 to \$2,000.....	May 17
Philip Hurd.....	Chief clerk, State Board of Health, \$1,200 to \$1,500.....	June 1
John McMackin.....	Chief clerk to deputy, Bureau of Statistics of Labor, \$2,000 to \$2,500.....	June 1
M. P. Kavanaugh.....	Deathwatch to keeper, Auburn Prison, \$780 to \$900.....	June 1
John F. Kelly.....	Clerk, Comptroller, \$1,400 to \$1,650.....	June 1
Charles W. Barnes.....	Special agent, Department of Public Works, \$4 to \$5 per day.....	June 1
Edward D. Bennett.....	Inspector, Department of Public Works, \$4 to \$5 per day.....	June 1
Gertrude Hurlbut.....	Copyist, Department of Public Works, \$300 to \$600.....	June 1
Henry D. Appleton.....	Clerk to second deputy, Insurance Department, \$4,000 to \$4,500.....	June 1
William H. Buckley.....	Third deputy, Insurance Department, \$4,000 to \$4,500.....	June 15
N. H. Brill.....	Guard to keeper, Auburn Prison, \$780 to \$900.....	July 1
L. E. Chittenden.....	Assistant cashier, Department of Excise, \$1,200 to \$1,500.....	July 1
Herbert L. Austin.....	Bookkeeper, Comptroller, \$1,200 to \$1,400.....	July 1
W. W. Bennett.....	Messenger, Comptroller, \$780 to \$900.....	July 1
George H. Birchall.....	Chief clerk, Bureau of Canal Affairs, Comptroller, \$2,000 to \$2,800.....	July 1
S. L. Kahn.....	Tax clerk, Comptroller, \$1,200 to \$1,300.....	July 1
William G. Shaible.....	Accountant, Comptroller, \$2,000 to \$2,800.....	July 1
James A. Wendell.....	Entry clerk, Comptroller, \$1,800 to \$2,000.....	July 1

NEW YORK CIVIL SERVICE COMMISSION.

123

M. D. Hughes, M. D.	Medical interne to junior physician, Buffalo State Hospital, \$600 to \$900	16	July
H. W. Eggleston, M. D.	Medical interne to junior physician, Binghamton State Hospital, \$600 to \$900	17	July
C. D. Phillips	Bookkeeper to chief bookkeeper, Department of Excise, \$1,500 to \$1,800	1	August
John F. Waters	Assistant financial clerk, Department of Excise, \$1,200 to \$1,500	1	August
W. H. Kimball	Treasurer, Manhattan State Hospital, \$1,500 to \$2,500	1	August
H. E. Cole	Steward, Manhattan State Hospital, \$1,500 to \$2,500	1	August
Frederick J. Seaver	Private secretary, Banking Department, \$2,400 to \$2,700	1	August
Gerard M. Stevens	Clerk, Supreme Court, second district, \$3,500 to \$4,500	1	August
James F. McGee	Deputy clerk, Supreme Court, second district, \$3,000 to \$3,500	1	August
Thomas Shevlin	Officer, Supreme Court, second district, \$1,200 to \$1,800	1	August
Charles H. Farrell	Officer, Supreme Court, second district, \$1,200 to \$1,800	1	August
Horace G. Tennant	Bookkeeper and clerk, to Second Deputy Secretary of State, \$1,500 to \$2,600	17	August
B. R. Neirn, M. D.	Medical interne to junior physician, Manhattan State Hospital, \$600 to \$900	19	August
Willard J. Barnes	Electrical engineer to chief steam engineer, St. Lawrence State Hospital, \$950 to \$1,200	25	August
Jessie McAnn	Special attendant to stenographer, Rochester State Hospital, \$420 to \$480	1	September
David E. Francisco, M. D.	Medical interne to junior physician, Middletown State Hospital, \$720 to \$900	1	October
Charles W. Sexsmith	Bookkeeper, Department of Excise, \$600 to \$1,000	1	October
John J. Bealin	Superintendent free public employment bureau, Bureau of Statistics of Labor, \$1,200 to \$1,500	1	October
Frederica Knapp	Clerk and stenographer, Bureau of Statistics of Labor, \$600 to \$900	1	October
Lillian A. Walker	Assistant voucher clerk to voucher clerk, Lunacy Commission, \$900 to \$1,200	1	October
Thomas W. Cantwell	Clerk, Comptroller, \$1,500 to \$1,700	1	October
George M. Spawu	Clerk, Comptroller, \$1,000 to \$1,200	1	October
J. P. Healey	Guard to keeper, Elmira Reformatory	1	October
John G. Taft	Assistant to resident engineer, Engineer and Surveyor	8	October
Robert E. Doran, M. D.	Junior to assistant physician, Willard State Hospital, \$1,000 to \$1,200	20	October
William B. Armstrong	Assistant steam engineer, Manhattan State Hospital, second to first grade, \$600 to \$720	1	November
Thomas P. Kearus	Assistant steam engineer, Manhattan State Hospital, third to second grade, \$480 to \$600	1	November
Louis E. Bonnaud	Assistant steam engineer, first grade to chief steam engineer, Manhattan State Hospital, \$720 to \$1,200	1	November
George H. Torney, Jr., M. D.	Assistant physician, Utica State Hospital, \$900 to \$1,200	1	November
Frank H. Magness, M. D.	Junior physician to assistant physician, Manhattan State Hospital, \$1,000 to \$1,200	1	November
Isaac A. Perry	Foreman, Sing Sing Prison, \$1,500 to \$1,800	1	November
John Hayden	Foreman, Sing Sing Prison, \$1,200 to \$1,500	1	November
Oliver M. Dewing, M. D.	Medical superintendent to general superintendent, Long Island State Hospital	11	November
Douglas Cornell	Leveler to assistant engineer, Engineer and Surveyor, \$4.50 to \$5.00 per day	11	November
Edwin H. Thomas	Leveler to assistant engineer, Engineer and Surveyor, \$4.50 to \$5.00 per day	11	November
Paul L. Schulze	Leveler to assistant engineer, Engineer and Surveyor, \$4.50 to \$5.00 per day	11	November
William N. Taintor	Leveler to assistant engineer, Engineer and Surveyor, \$4.50 to \$5.00 per day	11	November

PROMOTIONS — (Concluded).

NAME.	Position.	Date of promotion.
Walter J. Towne.....	Leveler to assistant engineer, Engineer and Surveyor, \$4.50 to \$5.00 per day.....	1897. November 11
Newton F. Hopkins.....	Leveler to assistant engineer, Engineer and Surveyor, \$4.50 to \$5.00 per day.....	November 11
F. H. Crafts.....	Leveler to assistant engineer, Engineer and Surveyor, \$4.50 to \$5.00 per day.....	November 11
Arthur O'Brien.....	Leveler to assistant engineer, Engineer and Surveyor, \$4.50 to \$5.00 per day.....	November 11
Marshall W. Brown.....	Leveler to assistant engineer, Engineer and Surveyor, \$4.00 to \$5.00 per day.....	November 11
Noble E. Whitford.....	Leveler to assistant engineer, Engineer and Surveyor, \$4.50 to \$5.00 per day.....	November 11
Willard W. Olney.....	Leveler to assistant engineer, Engineer and Surveyor, \$4.50 to \$5.00 per day.....	November 11
Edward D. Rich.....	Leveler to assistant engineer, Engineer and Surveyor, \$4.50 to \$5.00 per day.....	November 11
Garrett O. House.....	Leveler to assistant engineer, Engineer and Surveyor, \$4.50 to \$5.00 per day.....	November 11
Cecil Mac Coy, M. D.....	Medical interne to junior physician, Binghamton State Hospital, \$600 to \$900.....	November 13
A. C. McFetridge.....	Nurse and acting storekeeper to storekeeper, Craig Colony.....	November 15
Reeves Smith.....	Assistant engineer to first assistant engineer, Engineer and Surveyor, \$5 to \$6 per day.....	November 20
Guy Moulton.....	Assistant engineer to first assistant engineer, Engineer and Surveyor, \$5 to \$6 per day.....	November 20
R. B. McCully.....	Clerk, Department of Excise, \$1,200 to \$1,500.....	November 21
Amasa P. Muir, M. D.....	Medical interne to junior physician, Manhattan State Hospital, \$600 to \$900.....	November 21
W. G. Ryan, M. D.....	Medical interne to junior physician, Manhattan State Hospital, \$600 to \$900.....	November 22
H. R. Humphries, M. D.....	Medical interne to junior physician, Manhattan State Hospital, \$600 to \$900.....	November 22
A. L. Haines, M. D.....	Milk expert to dairy bacteriologist and expert, Department of Agriculture.....	November 24
William E. Schenck.....	Counsel, Department of Excise, \$1,200 to \$1,500.....	December 1
Charles G. Brink, M. D.....	Assistant physician, Manhattan State Hospital, \$900 to \$1,200.....	December 1
Clarence B. Angle.....	Secretary, Civil Service Commission, \$2,000 to \$3,000.....	December 1
Mary E. Dell.....	Stenographer, Civil Service Commission, \$720 to \$900.....	December 1
Hattie R. Bennett.....	Stenographer, Civil Service Commission, \$720 to \$900.....	December 1
M. E. Cadman.....	Confidential examiner, Insurance Department, \$1,500 to \$2,400.....	December 1
DeLancey M. Ellis.....	Mailing clerk to financial clerk, Department of Public Instruction, \$1,200 to \$1,800.....	December 9
David O. Batteeson.....	Examiner, Banking Department, \$10 to \$12 per day, actual time.....	December 15
Seth M. Van Loan.....	Rodman to leveler, State Engineer, \$3.50 to \$4.50 per day.....	December 17
Frederick Edwards.....	Rodman to leveler, State Engineer, \$3.50 to \$4.50 per day.....	December 17
Edward P. Folger.....	Rodman to leveler, State Engineer, \$3.50 to \$4.50 per day.....	December 17
Alex. Haring.....	Rodman to leveler, State Engineer, \$3.50 to \$4.50 per day.....	December 17
Carl L. Baunister.....	Rodman to leveler, State Engineer, \$3.50 to \$4.50 per day.....	December 17

Edwin V. R. Payne.....	Rodman to leveler, State Engineer, \$3.50 to \$4.50 per day.....	December	17
Irving Hawkins.....	Rodman to leveler, State Engineer, \$3.50 to \$4.50 per day.....	December	17
Charles E. Cleaver.....	Rodman to leveler, State Engineer, \$3.50 to \$4.50 per day.....	December	17
Joseph B. Barrett.....	Rodman to leveler, State Engineer, \$3.50 to \$4.50 per day.....	December	17
B. E. Felling.....	Rodman to leveler, State Engineer, \$3.50 to \$4.50 per day.....	December	17
Charles A. Sullivan.....	Rodman to leveler, State Engineer, \$3.50 to \$4.50 per day.....	December	17
Clinton J. Bean.....	Chainman to rodman, State Engineer, \$2.50 to \$3.50 per day.....	December	17
Avery Wilcox.....	Chainman to rodman, State Engineer, \$2.50 to \$3.50 per day.....	December	17
Richard M. Barber.....	Remittitur clerk to deputy clerk, Court of Appeals, \$2,500 to \$3,000.....	December	17
William M. Honig.....	Chancery clerk to remittitur clerk, Court of Appeals, \$2,000 to \$2,500.....	December	17
Thomas J. McLaughlin.....	Guard to keeper, Elmira Reformatory.....	December	31
J. F. Moylan.....	Guard to keeper, Elmira Reformatory.....	December	31
H. Lewis Jacobson.....	Confidential clerk, Attorney General, \$800 to \$1,200.....	December	31

TRANSFERS.

NAME.	Position.	Date of transfer.
Louis J. Cobey	Chief steam engineer, Manhattan State Hospital to Hudson River State Hospital	1897.
George B. Weaver	Clerk, Railroad Commission to Insurance Department	January 1
Albert F. Krause	Levele and draughtsman, State Engineer and Surveyor to Comptroller	January 1
Charles W. Strout	Court officer and messenger, Supreme Court, Second District to Appellate Division, Second Department	January 1
Edward E. Sheldon	Assistant electrical engineer, Willard State Hospital to Industrial School, Rochester	February 19
Henry P. Frost	First assistant physician, Willard State Hospital to Buffalo State Hospital	February 1
Lillian Schlesinger	Junior clerk, Regents' Department to Board of Charities	March 1
William J. Wilson	Junior clerk, Regents' Department to Board of Health	March 31
Henry George	Excise Agent, Comptroller to Department of Excise	April 1
G. V. Loughlin	Clerk, Department of Public Works to Comptroller	April 26
William R. McGreevy	Junior clerk, Regents' Department to State Land Survey	April 11
Frederick G. Schneider	Clerk, Comptroller to Assistant Clerk, Sing Sing Prison	May 17
Edward W. Jewett	Assistant steam engineer, Manhattan State Hospital to Hudson River State Hospital	July 2
John Evans	Junior clerk, Regents' Department to Department of Agriculture	August 1
Grace E. Barber	Junior clerk, Regents' Department to Civil Service Commission	September 1
Arthur J. Capron, M. D.	Junior physician, Manhattan State Hospital to Long Island State Hospital	September 7
Jennie Terwilliger	Stenographer, Department of Agriculture to Agricultural Experiment Station, Geneva	September 7
Frank B. Clark	Assistant engineer, State Land Survey to State Engineer and Surveyor	October 6
Harry R. Wilson	Junior clerk, Regents' Department to State Land Survey	October 15
Willis L. Weedon	Examiner, Regents' Department to Civil Service Commission	October 15
Johnston Hastings	Inspector of public works, Department of Public Works, to Clinton Prison	October 28
Emily L. Gibb	Junior clerk, Regents' Department to Department of Public Instruction	November 15
Grace W. Thompson	Junior clerk, Regents' Department to Department of Public Instruction	November 15
Edward H. Williams, M. D.	Junior Physician, Matteawan State Hospital to Manhattan State Hospital	November 17
David R. Dorn	Pharmacist, Craig Colony to Clinton Prison	November 18
C. J. Patterson, M. D.	Junior Physician, Manhattan State Hospital to Buffalo State Hospital	December 1
Edward G. Aldrich, M. D.	Medical Intern, Manhattan State Hospital to Buffalo State Hospital	December 6
Grace Baker	Clerk, Bureau of Statistics of Labor to Department of Capitol Commissioner	December 6
Mrs. Julia T. Ronan	Clerk, Regents' Department to Comptroller	December 6
Frederick Schneider	Assistant clerk, Sing Sing Prison to Clerk, Comptroller	December 13
Charles R. DeFreest	Secretary to Superintendent of Grade Crossings and Accounts, Railroad Commission	December 31

REMOVALS.

NAME.	Position.	Date of appointment.	Date of removal.
Frank E. Giese.....	Agent, Department of Agriculture.....	June 1, 1891	January 1, 1897
James Boice.....	Agent, Department of Agriculture.....	September 1, 1894	January 1, 1897
A. J. O'Neil.....	Guard, Auburn Prison.....	August 1, 1889	January 10, 1897
Hoffman Ruger.....	Expert, Department of Agriculture.....	January 14, 1897	January 26, 1897
Walter W. Edwards.....	Assistant steam engineer, Long Island State Hospital.....	January 1, 1895	January 30, 1897
R. T. Colgan.....	Orderly, Department of Public Buildings.....	March 1, 1895	January 30, 1897
Augusta Whitman.....	Orderly, Department of Public Buildings.....	March 1, 1895	January 30, 1897
M. McMahon.....	Watchman, Department of Public Buildings.....	June 1, 1891	January 30, 1897
P. J. Ryan.....	Gas and water inspector, Department of Public Buildings.....	July 1, 1888	January 30, 1897
M. F. Monahan.....	Fireman, Department of Public Buildings.....	September 1, 1895	January 30, 1897
William Brownlow.....	Carpenter, Department of Public Buildings.....	February 1, 1895	January 30, 1897
Charles Shelvey.....	Porter, Department of Public Buildings.....	January 5, 1895	January 31, 1897
J. T. Costello.....	Guard, Auburn Prison.....	March 1, 1895	February 1, 1897
William C. Turner.....	Janitor, State Hall.....	June 1, 1891	February 3, 1897
Grove Barnum.....	Expert, Department of Agriculture.....	August 22, 1894	February 3, 1897
W. W. Meeteer.....	Expert, Department of Agriculture.....	August 30, 1894	February 3, 1897
E. S. Wilson.....	Expert, Department of Agriculture.....	May 31, 1894	February 6, 1897
H. Clyde Johnson.....	Keeper, Auburn Prison.....	September 11, 1894	February 6, 1897
M. R. McCartin.....	Engineer, Auburn Prison.....	February 14, 1893	February 6, 1897
W. F. Purdy.....	Keeper, Auburn Prison.....	April 5, 1891	February 6, 1897
L. A. Chafferton.....	Keeper, Auburn Prison.....	April 31, 1896	February 11, 1897
Leon L. Darling.....	Tracer, Capitol Commissioner.....	May 1, 1893	February 27, 1897
F. F. Wheaton.....	Industrial clerk, Auburn Prison.....	June 1, 1894	February 28, 1897
P. H. Kelly.....	Agent, Department of Agriculture.....	July 17, 1893	February 28, 1897
John Riley.....	Keeper, Auburn Prison.....	June 19, 1893	February 28, 1897
Michael Conboy.....	Guard, Auburn Prison.....	January 19, 1897	February 24, 1897
Robert M. Walsh.....	Inspector, Department of Public Works.....	February 1, 1891	March 31, 1897
A. S. Delano.....	Agent, Department of Agriculture.....	April 1, 1894	March 31, 1897
Fred. C. Mulkin.....	Deputy factory inspector.....	November 13, 1894	April 1, 1897
James F. Devine.....	Deputy factory inspector.....	February 17, 1897	April 1, 1897
John A. Donald.....	Inspector, Department of Public Works.....	January 23, 1897	April 15, 1897
John B. Van Petten.....	Special Agent, Department of Excise.....		April 22, 1897

*Suspended

REMOVALS — (Concluded).

NAME.	Position.	Date of appointment.	Date of removal.
Andrew Durnin.....	Guard, Auburn Prison.....	August 1, 1893	April 30, 1897
P. F. Lyons.....	Guard, Auburn Prison.....	October 31, 1893	April 30, 1897
M. B. Mansell.....	Guard, Auburn Prison.....	September 1, 1894	April 30, 1897
William McLeahy.....	Guard, Auburn Prison.....	January 22, 1894	April 30, 1897
Dennis O'Neil.....	Guard, Auburn Prison.....	July 10, 1893	April 30, 1897
R. E. Maxwell.*.....	Orderly, Department of Public Buildings.....	October 1, 1895	April 30, 1897
Philip Ostrander*.....	Orderly, Department of Public Buildings.....	March 1, 1895	April 30, 1897
F. M. Burke.....	Kitchen-keeper, Auburn Prison.....	March 23, 1889	May 1, 1897
Jacob C. Rundell.....	Assistant steam engineer, Long Island State Hospital.....	March 1, 1897	May 3, 1897
Richard Gibney.....	Assistant steam engineer, Long Island State Hospital.....	August 1, 1896	May 3, 1897
C. E. McCarthy.....	Special agent, Department of Excise.....	July 28, 1896	May 10, 1897
John S. Clancy.....	Inspector, Department of Public Works.....	January 6, 1897	May 12, 1897
W. H. Fleuwillin.....	Inspector, Department of Public Works.....	February 26, 1897	May 12, 1897
John W. Flynn.....	Inspector, Department of Public Works.....	February 3, 1897	May 12, 1897
William L. Sherrill.....	Inspector, Department of Public Works.....	January 7, 1897	May 17, 1897
B. A. Johnston*.....	Orderly, Department of Public Buildings.....	March 1, 1895	May 30, 1897
B. G. Priest*.....	Orderly, Department of Public Buildings.....	January 1, 1892	May 30, 1897
David A. Harper.....	Storekeeper, Long Island State Hospital.....	August 1, 1896	May 31, 1897
William B. Howard.....	Agent, Department of Agriculture.....	January 1, 1891	May 31, 1897
Seymour Delano.....	Guard, Auburn Prison.....	April 11, 1889	May 31, 1897
Patrick Morrissey.....	Engineer, Prison for Women, Auburn.....	November 10, 1894	May 31, 1897
J. A. Flanley.....	Clerk, Department of Excise.....	April 30, 1896	June 8, 1897
Susan Anderson.....	Assistant matron, School for the Blind, Batavia.....	September 1, 1873	June 23, 1897
Sarah E. Chick.....	Assistant matron, School for the Blind, Batavia.....	May 1, 1869	June 23, 1897
Charles N. Smith.....	Storekeeper and Superintendent of Industries, Prison for Women, Auburn.....	April 15, 1890	June 30, 1897
Peter Van Vrauken.....	Keeper, Auburn Prison.....	December 13, 1898	June 31, 1897
John McGrath.....	Guard, Auburn Prison.....	April 11, 1894	July 31, 1897
Roger Quinn.....	Shipper, Auburn Prison.....	July 13, 1896	July 31, 1897
J. B. H. Mongin.....	Second Deputy Secretary of State.....	March 22, 1895	August 17, 1897
George H. West.....	Special agent, Fisheries, Game and Forest Commission.....	November 9, 1896	September 30, 1897
Thomas Maroney.....	Keeper, Auburn Prison.....	January 2, 1894	September 30, 1897

James Madden.....	Guard, Auburn Prison.....	August 1, 1891	October 1, 1897
W. H. Shattuck.....	Guard, Elmira Reformatory.....	11, 1897	October 26, 1897
William O'Dea.....	Keeper, Auburn Prison.....	17, 1898	November 1, 1897
George N. Davis.....	Auditor, Department of Excise.....	11, 1896	November 20, 1897
J. W. Littlejohn.....	Protector, Fisheries, Game and Forest Commission.....	7, 1896	November 25, 1897
Margaret Finn.....	Deputy factory inspector.....	1, 1890	November 30, 1897
H. M. Tiffany.....	Keeper, Auburn Prison.....	13, 1892	November 1, 1897
T. F. Kinsella.....	Keeper, Auburn Prison.....	1, 1897	December 1, 1897
M. P. Kavanaugh.....	Keeper, Auburn Prison.....	1, 1897	December 1, 1897
Stephen Nolan.....	Guard, Auburn Prison.....	8, 1894	December 1, 1897
Riley M. Rnah.....	Protector, Fisheries, Game and Forest Commission.....	May 20, 1895	December 10, 1897
Francis H. Cole, M. D.....	Woman Physician, Manhattan State Hospital.....	February 28, 1896	December 18, 1897
William Erhart.....	Guard, Elmira Reformatory.....	11, 1897	December 31, 1897

* Suspended.

RESIGNATIONS.

NAME.	Position.	Date of appointment.	Date of resignation.
Charles E. Nichols.....	Special agent, Department of Excise.....	November 10, 1896	January 1, 1897
Ira A. Vail.....	Teacher, Thomas Orphan Asylum.....	October 1, 1895	January 1, 1897
Lillian E. Collyer.....	Matron, Hudson River State Hospital.....	November 6, 1893	January 1, 1897
M. D. Blakeslee.....	Assistant steam engineer, Middletown State Hospital.....	December 16, 1896	January 1, 1897
William C. Atkinson.....	Chief steam engineer, Hudson River State Hospital.....	September 4, 1893	January 5, 1897
Edward J. Connell.....	Examiner, Banking Department.....	October 3, 1892	January 5, 1897
E. M. Sawyer.....	Special agent, Department of Excise.....	December 1, 1896	January 9, 1897
Clifton J. Sarle.....	Expert, State Geologist.....	September 15, 1896	January 9, 1897
B. C. Tiesing, M. D.....	Assistant physician, Manhattan State Hospital.....	January 1, 1897	January 14, 1897
A. T. Hitchcock.....	Assistant superintendent, Department of Public Buildings.....	March 1, 18-3	January 15, 1897
Arthur Grant.....	Messenger, Department of Public Buildings.....	June 1, 1893	January 15, 1897
Elmer F. Kiune.....	Stenographer, Buffalo State Hospital.....	March 4, 1896	January 16, 1897
Percy Bryant, M. D.....	First assistant physician, Buffalo State Hospital.....	February 18, 1899	January 21, 1897
F. W. Fabricius, M. D.....	Assistant physician, Manhattan State Hospital.....	December 28, 1894	January 25, 1897
Edmund L. Judson.....	Examiner, Banking Department.....	October 15, 1896	January 30, 1897
Charles J. Flanagan.....	Bookkeeper, Craig Colony.....	September 11, 1895	January 31, 1897
William H. Ostrander.....	Clerk, Bureau of Statistics of Labor.....	July 24, 1896	January 31, 1897
Arthur P. Shellman, M. D.....	Junior physician, Manhattan State Hospital.....	April 3, 1896	February 1, 1897
George Allen, M. D.....	First assistant physician, Middletown State Hospital.....	May 1, 1890	February 1, 1897
John W. Marcellus.....	Deputy Factory Inspector.....	February 1, 1895	February 1, 1897
F. S. Stebbins.....	Chief, business department, Industrial School Rochester.....	March 1, 1892	February 1, 1897
James C. Stout.....	Agent and warden, Auburn Prison.....	March 1, 1893	February 1, 1897
Matthew P. Gresgan.....	Clerk, Insurance Department.....	February 28, 1894	February 1, 1897
R. H. Hunter.....	Record clerk, Department of Public Works.....	April 13, 1895	February 10, 1897
F. J. Palmer.....	Assistant actuary, Insurance Department.....	January 22, 1890	February 10, 1897
Mary E. Norris.....	Keeper, Elmira Reformatory.....	July 5, 1895	February 17, 1897
W. J. Mockler.....	Stenographer, Banking Department.....	January 5, 1897	February 17, 1897
Ernest J. Atkins.....	Guard, Elmira Reformatory.....	May 13, 1896	February 27, 1897
J. C. DeVries, M. D.....	Stenographer, Manhattan State Hospital.....	April 18, 1896	March 1, 1897
James A. Dunne.....	Medical interne, Manhattan State Hospital.....	December 18, 1896	March 1, 1897
William F. Rogers.....	Clerk, Supreme Court, second district.....	February 1, 1897	March 1, 1897
	Superintendent, Soldiers' and Sailors' Home, Bath.....	October 6, 1897	March 1, 1897

Frank P. Frost.....	Quartermaster, Soldiers' and Sailors' Home, Bath.....	September 30, 1899	March	1, 1897
C. O. Shepard.....	Confidential clerk, Charitable Department, Comptroller.....	April 20, 1896	March	1, 1897
Frank B. McKenzie.....	Stenographer Manhattan State Hospital.....	April 14, 1896	March	6, 1897
Howard Green.....	Special Agent, Department of Excise.....	April 22, 1896	March	10, 1897
Silas B. Bashford.....	Instructor, Industrial School, Rochester.....	March 1, 1896	March	12, 1897
Floyd B. French.....	Junior clerk, Regents' Department.....	December 26, 1896	March	15, 1897
Mabel R. Dunsford.....	Junior clerk, Regents' Department.....	February 1, 1897	March	18, 1897
George B. Graves.....	Page, Regents' Department.....	May 1, 1893	March	19, 1897
Albert H. Seabury.....	Inspector, Department of Public Works.....	February 25, 1897	March	24, 1897
James W. Reed.....	Assistant engineer, Engineer and Surveyor.....	March 3, 1896	March	26, 1897
F. R. Haines, M. D.....	Junior physician, Manhattan State Hospital.....	September 1, 1895	March	26, 1897
Harry C. Powell.....	Junior clerk, Regents' Department.....	February 1, 1897	March	30, 1897
John H. Smith.....	Guard, Sing Sing Prison.....	December 26, 1894	March	31, 1897
W. J. Woodcock.....	Assistant Electrical engineer, Sing Sing Prison.....	August 30, 1893	March	31, 1897
Beatie C. Carson.....	Secretary, Institution for Feeble-Minded Children, Syracuse.....	September 1, 1899	March	31, 1897
E. E. Clark.....	Technological instructor, Elmira Reformatory.....	July 18, 1892	March	31, 1897
Frank P. Dolan.....	Bookkeeper, Elmira Reformatory.....	October 6, 1894	March	31, 1897
J. W. Eggleston.....	Guard, Elmira Reformatory.....	May 8, 1893	March	31, 1897
A. J. Hughes.....	Guard, Elmira Reformatory.....	June 1, 1896	March	31, 1897
John J. McDonough.....	Assistant steam engineer, Middletown State Hospital.....	January 19, 1897	March	31, 1897
J. M. Warr, M. D.....	Junior physician, Manhattan State Hospital.....	February 1, 1896	April	1, 1897
John F. Kennedy.....	Watchman, Insurance Department.....	December 8, 1884	April	1, 1897
Anne Campbell.....	Deputy factory inspector.....	March 28, 1893	April	1, 1897
Thomas A. English.....	Special examiner, Insurance Department.....	December 14, 1894	April	1, 1897
Owen Williams.....	Engineer, Quarantine Commission.....	August 10, 1895	April	3, 1897
M. H. Douglass.....	Guard, Elmira Reformatory.....	April 27, 1896	April	6, 1897
Frank Seigfried.....	Assistant steam engineer, Willard State Hospital.....	January 16, 1896	April	16, 1897
Mrs. M. J. Gorman.....	Clerk, Regents' Department.....	March 30, 1896	April	25, 1897
Josephine Durand.....	Junior clerk, Regents' Department.....	March 27, 1896	April	25, 1897
Stella Matimore.....	Junior clerk, Regents' Department.....	February 1, 1895	April	25, 1897
James D. Lamb.....	Assistant steward, Long Island State Hospital.....	October 1, 1892	April	30, 1897
Frank E. Smith, M. D.....	Assistant physician, Long Island State Hospital.....	November 1, 1894	April	30, 1897
Joseph Tracy.....	Head carpenter, Long Island State Hospital.....	September 22, 1893	April	30, 1897
W. D. Ives.....	Clerk, Department of Excise.....	June 18, 1896	April	30, 1897
E. P. Corwin.....	Clerk, Sing Sing Prison.....	January 18, 1894	May	1, 1897
Frank K. Baxter.....	Inspector, Railroad Commission.....	June 1, 1892	May	1, 1897
Lawrence I. Boyle.....	Clerk, Court of General Sessions, New York city.....	May 1, 1896	May	1, 1897
Maile Sanford.....	Clerk, Custodial Asylum, Newark.....	September 30, 1896	May	1, 1897
Wesley E. Cole.....	Guard, Clinton Prison.....	May 27, 1895	May	1, 1897

RESIGNATIONS — (Continued).

NAME.	Position.	Date of appointment.	Date of resignation.
Jessie Rathbun Husted.....	Clerk, Regents' Department.....	April 3, 1894	May 1, 1897
Michael F. Bradley.....	Storekeeper, Manhattan State Hospital.....	December 13, 1889	May 9, 1897
J. F. Spengle.....	Assistant steam engineer, Binghamton State Hospital.....	September 1, 1893	May 15, 1897
Charles H. Mills.....	Special agent, Department of Excise.....	November 1, 1896	May 15, 1897
George B. Weaver.....	Instructor, Elmira Reformatory.....	May 6, 1895	May 20, 1897
W. H. Utter.....	Instructor, Elmira Reformatory.....	August 21, 1893	May 24, 1897
John A. Miller.....	Inspector, Department of Public Works.....	February 25, 1897	May 27, 1897
Herbert W. Denio.....	Assistant, State Library.....	August 1, 1894	May 28, 1897
Robert O. Bascom.....	Special agent, Department of Excise.....	September 18, 1896	May 30, 1897
John Birmingham.....	Clerk, Supreme Court, First District.....	January 4, 1898	May 31, 1897
Charles Grover.....	Assistant steam engineer, Long Island State Hospital.....	February 7, 1896	May 31, 1897
F. O. Hill.....	Keeper, Elmira Reformatory.....	November 7, 1894	May 31, 1897
G. M. Parker, M. D.....	Medical interne, Manhattan State Hospital.....	September 1, 1896	June 1, 1897
Samuel G. Ferguson.....	Assistant electrical engineer, Utica State Hospital.....	August 1, 1894	June 1, 1897
Nella R. Benedict.....	Secretary, Woman's Relief Corps Home, Oxford.....	April 20, 1897	June 1, 1897
Ada R. Sunda.....	Stenographer, Treasurer's Office.....	June 1, 1891	June 1, 1897
C. W. Comstock.....	Computer, Weather Bureau, Cornell University.....	January 1, 1897	June 1, 1897
William N. Haskell.....	Junior clerk, Regents' Department.....	August 1, 1896	June 1, 1897
Alice Newman.....	Library assistant, Regents' Department.....	August 11, 1896	June 1, 1897
George P. Pudney.....	Special agent, Department of Excise.....	January 21, 1897	June 8, 1897
M. L. York.....	Superintendent, Manufacturing Dep't, Sing Sing Prison.....	December 17, 1894	June 15, 1897
George L. Lewis.....	Law clerk, Railroad Commission.....	May 1, 1892	June 15, 1897
John L. Scott.....	Steward, Craig Colony.....	July 15, 1895	June 15, 1897
James A. Scott.....	Storekeeper, Craig Colony.....	September 16, 1895	June 15, 1897
Charles R. Hall.....	Examiner, Banking Department.....	March 1, 1897	June 26, 1897
William E. Burr.....	Apothecary, Buffalo State Hospital.....	October 7, 1895	June 30, 1897
William H. Steele.....	Secretary, Department of Excise.....	April 9, 1896	June 30, 1897
Nellie B. Stevenson.....	Teacher, Asylum for Feeble-Minded Children, Syracuse.....	November 8, 1886	June 30, 1897
Irma Campbell.....	Teacher, Industrial School, Rochester.....	September 1, 1895	June 30, 1897
L. G. Austin.....	Guard, Elmira Reformatory.....	August 24, 1896	June 30, 1897
C. E. Fox.....	Hall-keeper, Elmira Reformatory.....	May 7, 1894	June 30, 1897
Lucy E. Miller.....	Stenographer, St. Lawrence State Hospital.....	January 22, 1891	June 30, 1897

Ellen D. Biscoe.....	Assistant, State Library.....	October	1, 1895	June	30, 1897
Isabel E. Lord.....	Assistant, State Library.....	July	8, 1896	June	30, 1897
Beverly R. Kennon, M. D.....	Assistant physician, Manhattan State Hospital.....	May	1, 1896	July	1, 1897
Ezra Carpenter.....	Clerk, Insurance Department.....	September 15, 1893	July	1, 1897	1, 1897
Maurice B. Osborne.....	Clerk, Insurance Department.....	October	7, 18-8	July	1, 1897
Samuel A. Skinner.....	Clerk, Insurance Department.....	October	15, 1894	July	1, 1897
John E. Wallace.....	Clerk, Insurance Department.....	February	1, 1891	July	1, 1897
Lewis Starkweather.....	Engineer, House of Refuge, Albion.....	November	1, 1893	July	1, 1897
Alanson Chase.....	Keeper, Clinton Prison.....	July	1, 1890	July	1, 1897
Alice I. Eaton.....	Examiner, Regents' Department.....	July	2, 1895	July	1, 1897
William J. Wilson.....	Junior clerk, State Board of Health.....	April	1, 1897	July	1, 1897
C. H. Dewey.....	Voucher clerk, Utica State Hospital.....	June	28, 1896	July	1, 1897
Harriet M. Hopkins.....	Junior clerk, Regents' Department.....	February	1, 1895	July	5, 1897
John Casey.....	Special agent, Department of Excise.....	July	28, 1896	July	10, 1897
Everett C. Brennand, M. D.....	Junior physician, Manhattan State Hospital.....	October	1, 1895	July	15, 1897
W. D. Lockwood.....	Assistant engineer, State Land Survey.....	July	1, 1895	July	16, 1897
John B. Patton.....	Assistant electrical engineer, Long Island State Hospital.....	March	1, 1897	July	17, 1897
Edwin N. Dougherty, M. D.....	Medical interne, Manhattan State Hospital.....	October	1, 1896	July	17, 1897
John W. Noble.....	Special agent, Department of Excise.....	April	22, 1896	July	17, 1897
J. J. N. Symes.....	Special agent, Department of Excise.....	April	22, 1896	July	22, 1897
Charles B. Cure.....	Steward, House of Refuge, Hudson.....	January	1, 18-7	July	31, 1897
Clarence A. Devlin.....	Stenographer, Manhattan State Hospital.....	May	8, 1897	July	31, 1897
Andrew H. Dalzell.....	Electrical engineer, Hudson River State Hospital.....	July	9, 1896	July	31, 1897
A. D. Call.....	School secretary, Elmira Reformatory.....	July	15, 1896	July	31, 1897
Charles W. Gould.....	Stenographer, Manhattan State Hospital.....	June	2, 1897	August	1, 1897
Daniel Finley.....	Clerk, Insurance Department.....	February	1, 1891	August	1, 1897
E. S. Babcock.....	Examiner, Regents' Department.....	April	20, 1896	August	5, 1897
Ella A. Kingsley.....	Examiner, Regents' Department.....	June	24, 1895	August	5, 1897
Adda B. Witt.....	Examiner, Regents' Department.....	July	17, 1894	August	6, 1897
Mary T. Reany.....	Junior clerk, Regents' Department.....	February	6, 1894	August	6, 1897
Charles H. F. Reilly.....	Junior clerk, Regents' Department.....	January	31, 1895	August	8, 1897
Krest C. Gibney, M. D.....	Medical interne, Utica State Hospital.....	December	10, 1895	August	9, 1897
Earl F. Colson.....	Stenographer, Manhattan State Hospital.....	May	10, 1897	August	9, 1897
W. W. Parker.....	Assistant chemist, Agricultural Experiment Station, Geneva.....	February	24, 1896	August	10, 1897
Blanche A. Wolston.....	Junior clerk, Regents' Department.....	June	24, 1896	August	11, 1897
Charles J. Cull.....	Junior clerk, State Library.....	January	12, 1897	August	28, 1897
Jacob Lahn.....	Instructor, Sing Sing Prison.....	April	14, 1897	September	1, 1897
Nettie Howard.....	Kindergartner, Thomas Orphan Asylum.....	September	1, 1895	September	1, 1897
A. Hager.....	Band instructor, Elmira Reformatory.....	May	11, 1896	September	1, 1897

RESIGNATIONS — (Continued).

NAME.	Position.	Date of appointment.	Date of resignation.
G. V. Loughlin.....	Clerk, Comptroller	April 26, 1896	September 1, 1897
Adelaide C. Du Bois.....	Junior clerk, Regents' Department.....	June 17, 1895	September 1, 1897
Mrs. L. S. Smith.....	Matron, Binghamton State Hospital.....	November 1, 1881	September 6, 1897
C. S. Holmes	Instructor, care and firing steam boilers, Industrial School, Rochester.....	March 12, 1897	September 13, 1897
Charles A. Earle.....	Special agent, Bureau of Labor Statistics.....	February 1, 1894	September 15, 1897
Mauley S. Snyder.....	Special agent, Department of Excise	April 22, 1896	September 30, 1897
James McCall.....	Examiner, Banking Department.....	November 28, 1894	September 30, 1897
Elizabeth Herriman.....	Bookkeeper, House of Refuge, Hudson	December 1, 1896	September 30, 1897
Myron T. Scudler.....	Inspector, Regents' Department.....	May 9, 1892	September 30, 1897
Mary E. Murphy.....	Stenographer, Manhattan State Hospital.....	July 13, 1896	September 30, 1897
Herbert E. Bright, M. D.....	Junior physician, Hudson River State Hospital.....	January 4, 1894	September 30, 1897
William E. Creed.....	Assistant electrical engineer, Manhattan State Hospital	January 6, 1897	September 30, 1897
James R. Horner, M. D	Junior physician, Middletown State Hospital	May 1, 1897	October 1, 1897
Mrs. Sarah V. Coon.....	Superintendent, House of Refuge, Hudson.....	November 1, 1886	October 1, 1897
E. C. Worden	Assistant chemist, Agricultural Experiment Station, Geneva.....	November 7, 1896	October 1, 1897
Minnie Schwenk.....	Teacher, Thomas Orphan Asylum.....	September 1, 1896	October 1, 1897
William H. Van Benschoten.....	Chief clerk, Attorney-General.....	January 1, 1896	October 1, 1897
A. J. Hines.....	Resident engineer, Engineer and Surveyor.....	July 17, 1894	October 8, 1897
William T. Glover.....	Special agent, Department of Excise.....	September 15, 1897	October 9, 1897
Charles H. Harden.....	Confidential examiner, Insurance Department.....	August 10, 1897	October 13, 1897
Walter Curtis.....	Special examiner, Insurance Department.....	June 1, 1894	October 13, 1897
Bard Leavitt.....	Chief steam engineer, Manhattan State Hospital.....	December 16, 1896	October 15, 1897
J. C. Walsh.....	Assistant steam engineer, Manhattan State Hospital.....	May 20, 1896	October 15, 1897
George O'Hanlon, M. D.....	Assistant physician, Willard State Hospital.....	June 1, 1893	October 15, 1897
Nicholas Hanna.....	Assistant instructor in carpentry, Industrial School, Rochester.....	October 17, 1895	October 15, 1897
Rev. Horatio Yates.....	Chaplain, Auburn Prison.....	December 13, 1888	October 18, 1897
J. N. Tector, M. D.....	Assistant physician, Utica State Hospital.....	October 10, 1894	October 31, 1897
E. D. Ridley.....	Keeper, Elmira Reformatory	September 17, 1895	October 31, 1897
D. Corey.....	Keeper, Elmira Reformatory	September 30, 1895	October 31, 1897
Sylvester G. Nott.....	Steward, House of Refuge, Albion.....	December 1, 1893	November 1, 1897

Henry W. Brendel.....	Attorney, Department of Excise	April	29, 1886	November	5, 1897
James Moulendyke.....	Instructor in upholstering, Industrial School.....	December	1, 1895	November	15, 1897
Ralph B. Coleman.....	Electrical engineer, Manhattan State Hospital.....	February	12, 1897	November	17, 1897
Harry B. Mason.....	Pharmacist, Clinton Prison.....	April	1, 1895	November	18, 1897
Kate Hall.....	Deputy factory inspector.....	November	16, 1892	November	30, 1897
Francis U. Coe.....	Deputy factory inspector.....	June	1, 1887	November	30, 1897
J. L. Mynderse.....	Assistant electrical engineer, Elmira Reformatory.....	December	5, 1896	November	30, 1897
Morgan D. Hughes, M. D.....	Junior physician, Buffalo State Hospital.....	May	16, 1896	November	30, 1897
J. D. Lawrence.....	Protector, Fisheries, Game and Forest Commission.....	August	8, 1895	December	1, 1897
William E. Kieselburgh.....	Deputy Attorney-General.....	May	1, 1894	December	1, 1897
Thompson R. Temple.....	Storekeeper, Custodial Asylum, Rome.....	March	31, 1896	December	4, 1897
Alice M. Clark.....	Examiner, Regents' Department.....	June	9, 1895	December	4, 1897
E. Dana Drand.....	Sub-librarian, State Library.....	October	16, 1895	December	10, 1897
Levi N. Beebe.....	Clerk, Matteawan State Hospital.....	February	13, 1895	December	13, 1897
William C. Rothmann.....	Special agent, Department of Excise.....	April	22, 1896	December	15, 1897
Moses B. Colten.....	Special agent, Department of Excise.....	April	22, 1896	December	15, 1897
J. Willard Travell, M. D.....	Medical interne, Manhattan State Hospital.....	August	23, 1897	December	16, 1897
T. L. Griffl.....	Assistant electrical engineer, Manhattan State Hospital.....	October	27, 1897	December	24, 1897
Clinton Snook.....	Superintendent of repairs, Department of Public Works.....	April	17, 1895	December	31, 1897
W. J. Johnson.....	Superintendent of repairs, Department of Public Works.....	April	17, 1895	December	31, 1897
William Honse, M. D.....	Junior physician, Manhattan State Hospital.....	December	15, 1896	December	31, 1897
James H. G. Connell.....	Clerk, Insurance Department.....	January	1, 1884	December	31, 1897
H. C. Weeks.....	Confidential examiner, Insurance Department.....	October	15, 1897	December	31, 1897
John J. Brennan.....	Clerk, Supreme Court, Second District.....	December	15, 1896	December	31, 1897
W. E. Sylvester, M. D.....	General superintendent, Long Island State Hospital.....	September	1, 1892	.....	.....

STATEMENT OF REMOVALS AND RESIGNATIONS.

CLASS III.

Attendants, nurses, etc., in the State hospitals and similar similar institutions.

Auburn Prison	7
Auburn Prison for Women	3
Craig Colony	20
Custodial Asylum for Women, Newark	14
Custodial Asylum, Rome	14
Elmira Reformatory	4
Fisheries, Game and Forest Commission	6
Hospital, Binghamton	43
Hospital, Buffalo	43
Hospital, Hudson River	131
Hospital, Long Island	339
Hospital, Manhattan	627
Hospital, Matteawan	26
Hospital, Middletown	56
Hospital, Rochester	13
Hospital, Utica	58
Hospital, St. Lawrence	97
Hospital, Willard	87
House of Refuge for Women, Albion	3
House of Refuge, Hudson	21
Industrial School, Rochester	10
Institution for Feeble-minded Children, Syracuse	9
Onondaga Salt Works	2
Quarantine Commission	6
School for the Blind, Batavia	1
Soldiers' and Sailors' Home, Bath	2
Thomas Orphan Asylum	7
Woman's Relief Corps Home, Oxford	1
Total	<u>1,650</u>

APPENDIX E.

1. AMENDMENTS TO CIVIL SERVICE CLASSIFICATION.
 2. REQUESTS FOR CHANGES IN THE CIVIL SERVICE CLASSIFICATION,
DENIED.
 3. RULINGS OF THE COMMISSION.
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Amendments to Civil Service Classification.

CAPITOL COMMISSIONER.

At a meeting of the Commission held January 26, 1897, it was Resolved, That in accordance with the facts set forth in a communication from Capitol Commissioner Perry, under date of January 6, 1897, the position of private secretary to the Capitol Commissioner be and hereby is included in Class I of the State classification.

(Approved by the Governor, February 19, 1897.)

FISHERIES, GAME AND FOREST COMMISSION.

At a meeting of the Commission held January 26, 1897, it was Resolved, That the confidential clerk to the Shell Fish Commissioner in charge of the New York office of the Fisheries, Game and Forest Commission, be and hereby is, included in Class I of the State classification.

(Approved by the Governor, January 29, 1897.)

EXECUTIVE CHAMBER.

At a meeting of the Commission held January 26, 1897, it was Resolved, That the classification of positions in the office of the Governor in Class I in the fifth line thereof, be and hereby is, amended so as to read "The executive stenographers."

(Approved by the Governor, January 29, 1897.)

AUBURN PRISON.

At a meeting of the Commission held February 26, 1897, it was Resolved, That the position of industrial clerk in the Auburn State prison be and hereby is included in Class I of the State classification.

(Approved by the Governor, March 30, 1897.)

DEPARTMENT OF AGRICULTURE.

At a meeting of the Commission held March 31, 1897, it was Resolved, That for the reasons set forth in a communication from the State Commissioner of Agriculture under date of March 10, 1897, Class I of the State classification be amended by adding thereto after the words "In the office of the Commissioner of Agriculture: One assistant commissioner," the words "One detective."

(Approved by the Governor, April 13, 1897.)

DEPARTMENT OF PUBLIC WORKS.

At a meeting of the Commission held March 31, 1897, it was Resolved, That the position of Consulting and Inspecting Architect under the Superintendent of Public Works, in connection with the completion of the Capitol, be and hereby is, included in Class I of the State classification.

(Approved by the Governor, April 1, 1897.)

FOREST PRESERVE BOARD.

At a meeting of the Commission held May 13, 1897, it was Resolved, That in accordance with the statements made in a communication from the president of the Forest Preserve Board, under date of May 10, 1897, the following named positions under said board be and hereby are included in Class I of the State classification:

The secretary, the stenographer, five inspectors.

(Approved by the Governor, July 1, 1897.)

WOMAN'S RELIEF CORPS HOME, OXFORD, N. Y.

At a meeting of the Commission held May 13, 1897, it was Resolved, That in accordance with the statements set forth in a communication from the superintendent of the Woman's Relief Corps Home at Oxford, N. Y., dated April 25, 1897, the positions in said home be and hereby are classified on the basis of the classification of similar positions in the State Soldiers' and

Sailors' Home at Bath, provided that vacancies occurring in positions classified under Class I be filled by the appointment of veterans, their wives or widows, army nurses, residents of New York, or by members of good standing in the Woman's Relief Corps.

(Approved by the Governor, June 16, 1897.)

STATE BOARD OF CHARITIES.

At a meeting of the Commission held May 13, 1897, it was

Resolved, That in accordance with the statements made in a resolution of the State Board of Charities, adopted April 15, 1897, the position of private secretary to the Superintendent of State and Alien Poor in the office of the State Board of Charities, be and hereby is, included in Class I of the State classification.

(Approved by the Governor, June 24, 1897.)

STATE HOSPITALS.

At a meeting of the Commission held August 3, 1897, it was

Resolved, That for the reasons set forth in a communication from the State Commission in Lunacy, dated July 15, 1897, the position of attorney for each State hospital, as provided for in chapter 460 of the Laws of 1897, be and hereby is included in Class I of the State classification.

(Approved by the Governor, September 21, 1897.)

THOMAS ORPHAN ASYLUM.

At a meeting of the Commission held August 3, 1897, it was

Resolved, That the position of kindergartner in the Thomas Asylum for Orphan and Destitute Indian Children, for the reasons set forth in a communication from the superintendent, dated July 19th, be and hereby is included in Class I of the State classification.

(Approved by the Governor, October 7, 1897.)

RAILROAD COMMISSION.

At a meeting of the Commission held August 3, 1897, it was

Resolved, That for the reasons set forth in a communication from the Board of Railroad Commissioners, under date of July 7, 1897, the position of examiner under said Board be and hereby is included in Class I of the State classification.

(Approved by the Governor, October 18, 1897.)

COURTS.

At a meeting of the Commission held September 15, 1897, it was

Resolved, That the Civil Service classification be amended by striking therefrom all reference to the employes of the board of police magistrates, the police courts, minor civil courts and the courts of Special Sessions in the cities.

(Approved by the Governor, September 17, 1897.)

**Changes in Classification Made by Promulgation of Revised
Civil Service Rules as Approved by the Governor
July 1, 1897.**

CLASS I TO CLASS II.

Comptroller.—The confidential clerk in the Bureau of Charitable Institutions.

Engineer and Surveyor.—The resident engineers.

Department of Public Instruction.—The chief clerk, the financial clerk, three assistant superintendents, per chapter 988, Laws of 1895.

Department of Excise.—The assistant financial clerks, the assistant cashiers, one confidential clerk to each special deputy commissioner, acting deputy commissioner in charge of special agents, assistant acting deputy commissioner in charge of special agents.

State Land Survey.—The general assistants, the local experts, the inspectors.

Fisheries, Game and Forest Commission.—The auditing and pay clerk, the general superintendent of hatching stations, the clerk to the chief game and fish protector.

Civil Service Commission.—The secretary.

Department of Agriculture.—Nine assistant commissioners.

Sing Sing Prison.—The State detective.

State School for the Blind, Batavia.—The musical director.

Industrial School, Rochester.—The chief of the department of discipline.

House of Refuge for Women, Hudson.—The clerk to the board of managers.

Solders' and Sailors' Home, Bath.—The bookkeeper, the treasurer's clerk, the clerk, the engineers, the assistant engineers.

Court of Appeals.—The financial clerk.

In the courts.—The police clerk and the interpreter of each magistrate's court, New York city; the secretary of the board of police magistrates, New York city; the interpreter, Court of Special Sessions, New York city; the assistant clerk of each District Court.

CLASS II TO CLASS I.

Secretary of State.—The deputies, the chief clerk, the confidential clerk, the stenographer.

Comptroller.—The deputies, the stenographer.

Treasurer.—The deputies, the confidential clerk, the stenographer.

Attorney-General.—The confidential clerk, the stenographer.

Engineer and Surveyor.—The confidential clerk, the stenographer.

Insurance Department.—The confidential examiners, two stenographers, the chief clerk of the tax department.

Banking Department.—The confidential examiners, the stenographer.

Department of Public Instruction.—The deputies.

The State Prisons.—The agents and wardens.

Court of Appeals.—The law examiners.

Railroad Commission.—The inspector.

Department of Public Works.—The deputy, the private secretary, the stenographer.

Department of Public Buildings.—The superintendent, the paymaster.

Bureau of Statistics of Labor.—The deputy.

State hospitals, asylums and houses of refuge.—The stewards.

Normal Schools.—The principals.

CLASS III TO CLASS II.

In the State hospitals, asylums and charitable institutions.—The storekeepers.

Fisheries, Game and Forest Commission.—The chief protector, two assistants to the chief protector, the oyster protector.

The State prisons.—The watchmen.

Elmira Reformatory.—The watchmen, the overseers.

Industrial School, Rochester.—The assistant matrons.

House of Refuge for Women, Hudson.—The storekeeper, the assistant matrons.

House of Refuge for Women, Albion.—The storekeeper, the assistant matrons.

School for the Blind, Batavia.—The storekeeper, the assistant matrons.

Requests for Changes in the Civil Service Classification Denied.

DEPARTMENT OF PUBLIC INSTRUCTION.

At a meeting of the Commission, held February 26, 1897, the request of Hon. Charles R. Skinner, Superintendent of Public Instruction, that the position of statistical clerk be included in Class I of the State Civil Service classification, was denied, for the reason that it was the opinion of the Commission that the position could be filled through competitive examination.

STATE COMMISSION OF PRISONS.

At a meeting of the Commission, held June 3, 1897, a communication under date of June 3d, from William J. Mantanye, vice-president of the State Commission of Prisons, was read,

requesting that the State Commission of Prisons be allowed to appoint a general office assistant at a salary of \$1,000 per annum, and that said position be included in Class III of the State classification. The request was denied, and the secretary was directed to communicate with the Commission of Prisons and inform them that the name of Mr. Straat, whom they desire to appoint, appears upon the eligible list for general clerkships, and that such list can be certified to said Commission when new rules are promulgated by the Governor.

DEPARTMENT OF PUBLIC WORKS.

At a meeting of the Commission, held December 14, 1897, the request of Hon. George W. Aldridge, Superintendent of Public Works, that the position of inspector under the Navigation Law, chapter 592, Laws of 1897, in the Department of Public Works, be included in Class I of the State Civil Service classification, was denied.

Rulings of the Commission.

JUNIOR PHYSICIANS AND MEDICAL INTERNES.

Whereas, Great difficulty has been found in securing a sufficient number of eligible candidates for the positions of junior physician and medical interne in the State hospitals, and the Commission does not deem it advisable to lower the grade of examination for such positions,

Resolved, That the requirements of Civil Service rule IX, as to residence and citizenship be suspended in regard to such positions until further action of the Commission. (January 5, 1897.)

Resolved, That on account of the difficulty of keeping full eligible lists for the position of medical interne in the State hospitals, the limitation of one year in regard to new examinations, as provided in section 6 of rule X, be suspended in regard to such position of medical interne, and that six months be substituted for the limitation thereunder. (March 31, 1897.)

REGENTS OF THE UNIVERSITY.

The request of Melvil Dewey, secretary of the Regents of the University, that the restrictions regarding residence and citizenship be removed in the examination for senior examiners in English, was denied. (January 26, 1897.)

VETERANS.

Whereas, The Court of Appeals, in the application of George Keymer for a writ of mandamus, has decided that section 9 of article V of the Constitution, relative to the civil service of the State and of the civil divisions thereof "according to its letter and spirit contemplates that in all examinations, competitive and non-competitive, the veterans of the civil war have no preference over other citizens of the State, but when, as a result of those examinations, a list is made up from which appointments and promotions can be made, consisting of those whose merit and fitness have been duly ascertained, then the veteran is entitled to preference without regard to his standing on this list," and

Whereas, A proper age is a necessary element in fitness for many positions in the civil service, and this Commission has at the request of appointing officers established certain limitations of age as necessary qualifications in the examination for certain positions,

Resolved, That such limitations of age are applicable to veterans as well as all other citizens, and that no preference in such respect can be granted to any class; and would be inconsistent with the Constitutional provision as interpreted by the courts. (January 26, 1897.)

STATE GEOLOGIST.

Resolved, That for the reasons set forth in a communication from State Geologist Hall under date of January 14, 1897, that under the provisions of section 9 of rule 8, the State Geologist is authorized to employ Mr. Heinrich Ries for special work in making examinations of the shales of the several geologic formations of the State, and special examinations of limestones. (January 26, 1897.)

Resolved, That under the provisions of section 8 of civil service rule 8, State Geologist Hall is hereby authorized to appoint the following named persons temporarily for the purposes set forth herein, it being the sense of the Commission that competitive examinations are not practicable; namely, Professor Edward Orton, to make survey and report upon the oil and gas producing areas within the State, at a salary of \$150 a month; Professors J. F. Kemp, C. H. Smyth, Jr. and H. P. Cushing, on work in determining the areas of certain geologic formations and completing the geologic map for the northern part of the State, at salaries of \$400, each; Professor C. F. Prosser, in determining the areas of certain geologic formations in the southeastern part of the State and completing the geologic map, with an allowance of \$200 for field expenses; Professor I. P. Bishop, in the same work in the western part of the State, for the sum of \$250 and expenses; C. J. Sarles, to perform similar duties, at a salary of \$35 per month. (June 3, 1897.)

ATTENDANTS, SUPREME COURT, FIRST DEPARTMENT.

Resolved, That by request of the justices of the appellate division of the Supreme Court, first department, the maximum age limit for the position of court attendant in the Supreme Court be and hereby is fixed at forty-five years. (January 26, 1897.)

SPECIAL COMMISSIONER OF JURORS, KINGS COUNTY.

The following communication from Mr. George L. Betts, consultation clerk, Supreme Court, appellate division, second judicial department, was read:

"In answer to your inquiry, on behalf of the Civil Service Commission, addressed on the 7th ultimo to the Hon. Charles F. Brown, I am directed by the justices of the appellate division of the second department to inform you that, in their judgment, the special commissioner of jurors is a county officer, and not a part of the court or judicial system of the State, in what the justices regard as the proper sense of the latter term." (February 26, 1897.)

DEPARTMENT OF AGRICULTURE.

Resolved, That the eligible list for the position of expert and agent in the department of the State Commissioner of Agriculture be separated into the ten divisions of the Department of Agriculture, provided, however, that if in any district there are not enough on the eligible list to make a certification of three, that the eligible list of the next contiguous district be added thereto. (February 26, 1897.)

SPECIAL COMMISSIONER OF JURORS, NEW YORK.

A communication from C. H. Van Brunt, presiding justice, appellate division, Supreme Court, first department, was read, in which the following statement was made: "I have consulted my associates and they are of opinion that the special commissioner of jurors is a county officer and not a part of the court or of the judicial system of the State." (March 31, 1897.)

COURT STENOGRAPHERS.

Ordered, That the eligible lists for court stenographers for the first and second judicial districts be combined. (March 31, 1897.)

VETERAN RESTORED TO LIST.

Ordered, That the name of Chauncey S. Titus, a veteran removed from the eligible list of special agents, be restored to the list. (March 31, 1897.)

ELIGIBLE LISTS REVISED.

Resolved, That in the revision by this Commission of the eligible lists as provided by section 6, chapter 428 of the Laws of 1897, the ratings therein shall be considered as relating exclusively to the merit of the candidates, and that in compliance with the provisions of the first section of the said act the present ratings shall be divided by two in order to give the ratings upon the new eligible lists. (May 20, 1897.)

NEW YORK CITY MAGISTRATES' COURT.

Held, That appointments to positions in the New York City Magistrates' Court must be made from regular court eligible lists. (May 20, 1897.)

SOLDIERS' AND SAILORS' HOME, BATH.

Ordered, That the superintendent be authorized to appoint ex-superintendent Rogers to the position of agent at Buffalo, and transfer Major H. S. Leavitt from the position of adjutant to that of inspector. (May 20, 1897.)

Held, That the appointment to the position of eastern agent of the Home at Brooklyn, N. Y., has been legally made under the provisions of rule 8, section 7 (c). (December 9, 1897.)

Held, That the position of superintendent of the mess hall and kitchens be included in class III of the State Civil Service classification. (December 9, 1897.)

ELIGIBLE LISTS.

Resolved, That all eligible lists which have expired or are about to expire under the fourth section of the eleventh rule, shall be extended until further orders. (May 20, 1897.)

AGE LIMITATIONS.

Resolved, That when the regulations of this Commission under the new law shall be amended, all age limitations shall be abolished. (June 3, 1897.)

TEMPORARY APPOINTMENTS.

Held, That no temporary appointments can be made pending the promulgation of the new rules. (June 3, 1897.)

ENGINEER AND SURVEYOR.

Resolved, That the State Engineer and Surveyor be allowed to employ six assistant engineers to aid in the matter of the canal enlargement now being made, and such surveyors of land as may be required by the Court of Claims or the Forest Preserve Board under section 8 and 9 of rule 8. (July 1, 1897.)

STATE LAND SURVEY.

Resolved, That the superintendent of the State Land Survey be allowed to appoint Mr. Wesley Barnes as a surveyor to locate and verify certain boundaries in Essex county, under sections 8 and 9 of rule 8. (July 1, 1897.)

AGRICULTURAL EXPERIMENT STATION, GENEVA.

Resolved, That for the reasons set forth in a communication from Dr. W. H. Jordan, director of the New York Agricultural Experiment Station under date of June 14, 1897, the restrictions in regard to residence and citizenship shall not apply to the position of assistant chemist in his department. (July 1, 1897.)

MERIT LISTS.

Resolved, That by direction of the Governor, all existing merit lists will expire upon the fifteenth day of September next, and examinations for new lists must be made in time for the completion of the new lists on or before that date. (July 1, 1897.)

STATE WEATHER BUREAU, CORNELL UNIVERSITY.

Resolved, That Professor E. A. Fuertes of the College of Civil Engineering of Cornell University, be, under section 6 of rule 8, allowed to employ temporarily such persons as he may require who are informed upon the subject of meteorology and in the computation of difficult mathematical investigations. (August 3, 1897.)

COURTS.

Held, That the Commission should relinquish all jurisdiction over the appointments to positions under the board of police magistrates and in the police courts, minor civil courts and the courts of special sessions in the cities, for the reason that the employees in said courts are city and not State officials. (September 15, 1897.)

CRAIG COLONY.

Ordered, That the restrictions imposed by the rules as to residence and citizenship be removed as applying to the position of pathologist or pathological chemist at Craig Colony. (December 9, 1897.)

APPENDIX F.

1. AMENDMENTS TO CITY REGULATIONS, APPROVED.
 2. AMENDMENTS TO THE CIVIL SERVICE REGULATIONS OF THE POLICE
DEPARTMENT OF THE CITY OF NEW YORK, APPROVED.
 3. PROPOSED AMENDMENT TO THE CIVIL SERVICE REGULATIONS OF
THE POLICE DEPARTMENT OF THE CITY OF NEW YORK, DIS-
APPROVED.
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Amendments to City Regulations, Approved.

Brooklyn Civil Service Regulations.

At a meeting of the Civil Service Commission of the city of Brooklyn held December 1, 1897, the following action was taken:

A communication dated November 30, 1897, from his Honor the Mayor, recommending that the position of superintendent of the bureau of combustibles in the department of fire be transferred by amendment to the regulations, from Schedule A to Schedule B, was read. In connection therewith, a communication dated November 29, 1897, from the commissioner of fire, addressed to his Honor the Mayor, was also read, and both communications were ordered on file.

On motion it was ordered that, pursuant to chapter 428 of the Laws of 1897, appendix B of the Civil Service Rules and Regulations, entitled "positions in Schedule A," be amended by striking out under the heading "Department of Fire," the figure and words "1 Superintendent Bureau of Combustibles," and that appendix D of the said rules and regulations, entitled "Classification of Positions in Schedule B, for the purposes of examination," be amended by adding to the said appendix the following words: "Class 42. Superintendent of the Bureau of Combustibles.

"Grade A. Superintendent of the Bureau of Combustibles, Department of Fire, \$1,800 or more."

ALBANY, N. Y., *December 9, 1897.*

The foregoing amendments to the Civil Service Regulations of the city of Brooklyn, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

[L. s.]

CLARENCE B. ANGLE,

Secretary.

Buffalo Civil Service Regulations.

MAYOR'S OFFICE, CITY OF BUFFALO,

December 16, 1896. }

To the Civil Service Commission of the State of New York:

I, Edgar B. Jewett, mayor of the city of Buffalo, do hereby propose and make the following addition and amendment to the rules governing the civil service of the city of Buffalo and relating to the labor service therein, and respectfully request the approval of your Honorable Commission to such addition and amendment.

The amendment above referred to consists in adding the following rule to the labor registration regulations, viz.:

XIII.

"During the month of March in each year succeeding the 1st of July, 1896, the Civil Service Commission shall make a new registration of laborers, and for that purpose shall first register all laborers employed by the various bureaus and departments of the city on the first day of March, and next in order, such regular employes in the various departments whose services may have been suspended simply by reason of the winter season and who shall file the required application to be numbered in the order of filing; and next thereafter in the manner hereinbefore specified, all new applicants for labor positions.

"The labor register thus made in pursuance of this rule shall take effect on the succeeding first day of April, and shall supersede all prior registers.

"Notice of the making of such new register shall be duly published three times a week for two weeks prior to said first day of March, in the official paper of said city."

EDGAR B. JEWETT,*Mayor.*

The Civil Service Commission of the city of Buffalo, for the purpose of carrying out the requirements and provisions of chapter 428 of the Laws of the State of New York for the year 1897,

approved May 15, 1897, hereby propose the following amendments and supplemental rules to the rules for admission to the civil service of the city of Buffalo prescribed by the Hon. Edgar B. Jewett, mayor of the said city on the 3d day of February, 1896, and subsequently approved by the Civil Service Commission of the State of New York, as follows, to wit:

AMENDMENTS TO RULES III, VII AND XVII.

In said rules numbered respectively III, VII and XVII, so prescribed by said mayor, wherever the word "fitness" appears, in the place and stead thereof substitute the word "merit."

ADDITIONAL RULES.

XXXVI. The ratings or averages on all the present eligible lists of the Buffalo Civil Service Commission in Schedule B, shall be divided by two; the result thus obtained shall be the new rating or average for merit, as prescribed by section one of chapter 428 of the Laws of 1897.

XXXVII. All examinations held by the appointing officers or board, under the provisions of section two of the act shall be competitive and shall be held forthwith upon the certification, by the Civil Service Commission, to the person or board holding the power of appointment or promotion, of the lists containing the names and ratings of the applicants who shall have been found eligible for appointment or promotion upon the examination for "merit." The questions and answers in all such examinations by the appointing power shall either be in writing, or taken down stenographically and then reduced to writing.

XXXVIII. The question put and the answers thereto given upon all such examinations, with the rating of the appointing power thereon, shall be certified to the secretary of the Buffalo Civil Service Commission, and eligible lists shall thereupon be made by him, by adding the ratings, as aforesaid, under section 1 of said act to the ratings aforesaid under section 2 thereof, and certification shall be made from the eligible lists so prepared in answer to any requisitions made to him.

XXXIX. Except as herein provided, the regulation previously adopted and prescribed by the mayor of the city of Buffalo and approved by the State Civil Service Commission shall remain in force, and all examinations under the authority of the Buffalo Civil Service Commission, or under the authority of the person or board having the power of appointment shall be conducted in conformity therewith, and when any rating is made by the Buffalo Civil Service Commission upon such examination pursuant to the said regulations, it shall be divided by two (2), in the manner prescribed by Rule XXXVI so as to conform to the provisions of section 1 of said act.

ALBANY, N. Y., *July 1, 1897.*

The foregoing civil service rules for the city of Buffalo, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

[L. s.]

CLARENCE B. ANGLE,

Secretary.

I herewith certify that at a meeting of the Civil Service Commission of the city of Buffalo, held at the office of the Commission, September 8, 1897, a quorum being present, the following resolution was adopted:

Resolved, That the schedules accompanying the rules for admission to the civil service of the city of Buffalo be amended so as to place in Schedule "C" the position of stoker on the fire boats.

(Signed) CHARLES B. WHEELER,

Chairman.

WM. B. DICKINSON,

Secretary.

ALBANY, N. Y., *September 15, 1897.*

The foregoing amendment to the civil service rules for the city of Buffalo, having been duly examined, is hereby approved by the New York Civil Service Commission.

Attest: ,

[L. s.] ,

JOHN C. BIRDSEYE,

Secretary pro tem.

**Amendments to the Civil Service Regulations of the Police
Department of the City of New York.**

REGULATION I.

Amend Regulation I as follows:

Paragraph 1, line 3, after the figures "1895" insert the words "and of chapter 428 of the Laws of 1897," so that Regulation I shall read as follows:

The police civil service board shall have power from time to time to prescribe by-laws for the execution of the provisions of these regulations and of such provisions of chapter 569 of the Laws of 1895 and of chapter 428 of the Laws of 1897 as relate to the subject matter committed to its charge. By-laws so prescribed shall become operative upon the approval of the board of police.

2. The several terms hereinafter mentioned, whenever used in these regulations or in the by-laws to be prescribed, shall be construed as follows:

(a) The term "Bi-Partisan Act" refers to chapter 569 of the Laws of 1895.

(b) The term "Classified Service" refers to that part of the service of the police department, the duties of which are not merely manual.

(c) The term "Grade," or the term "Rank," in connection with employes or positions, refers to a group of employes or positions in the classified service arranged upon a basis of the duties performed without regard to salaries received.

(d) The term "Class," in connection with employes or positions, refers to a group of employes or positions in any grade arranged upon the basis of salaries received, without regard to the duties performed, and in accordance with the provisions of section 3, paragraph 7, of the Bi-Partisan Act.

(e) The term "Excepted Positions" refers to any position within the classified service, but excepted from the requirements of examination or registration for appointment.

(f) The term "Veterans" refers to honorably discharged soldiers or sailors who served in the United States army or navy during the civil war.

REGULATION II.

1. No person in the police force shall contribute directly or indirectly to any political fund, or shall join or become a member of any political club or association.

2. No person in the executive service of the police department shall dismiss, or cause to be dismissed, or make any attempt to procure the dismissal of or in any manner change the official rank or compensation of any other person therein, because of his political or religious opinions or affiliations.

3. No question in any examination or application shall be so framed as to elicit information concerning the political or religious opinions of applicants or competitors, and all disclosures of such opinions on the part of applicants, competitors or eligibles, either for entrance to the service or promotions thereunder, by themselves or by others for them, shall be rigidly discountenanced by the board of police, the police civil service board, and all officers and employes of the police department, and no discrimination in examination, certification, appointment or promotion shall be made by any examiner, appointing officer or other employe of the department in favor of or against any such applicant, competitor or eligible by reason of any such opinion.

Any written communication violating any of the above provisions shall be immediately returned to the sender.

4. These regulations shall go into effect upon and after the date of their approval by the New York State Civil Service Commission, and a person holding a position on the date when said position is classified shall be entitled to all the rights and benefits possessed by persons of the same class or grade appointed upon examination thereafter.

REGULATION III.

1. All offices and places of employment in the police department, other than appointees of the mayor, shall be classified as follows:

A. The classified service.

B. The labor service.

2. All positions in the classified service shall be subject to competitive civil service examination, except in such cases as may arise under the provisions of section 3 of the Bi-Partisan Act and as hereinafter provided. The following grades shall be included in the classified service:

(a) The uniformed force.

(b) Surgeons.

(c) Matrons.

(d) The clerical force, except the private secretary for each commissioner, the stenographer for the chairman of the committee on repairs and supplies, and the treasurer's bookkeepers.

(e) Telephone and telegraph operators, linemen and battery-men.

(f) Mechanical engineers and firemen.

(g) Service requiring special or technical knowledge in skilled manual labor, as carpenters, painters and tailors.

(h) All other positions hereafter created under whatever designation, the duties of which are not merely those of manual laborers.

3. The labor service shall not be subject to competitive written examination, and shall include the following places: Hostlers, deckhands and cabin boys in the harbor patrol service, stewards on patrol boats, janitor and elevator men, cleaners, scrub women and laborers, and all other places classified hereunder, or hereafter created under whatever designations, the duties of which are of a purely manual nature.

4. All persons holding positions in the classified service of the police department, except members of the uniformed force, shall be divided into classes according to the amount of compensation received by them as follows:

Class 1. Employees whose compensation is less than \$900 per annum.

Class 2. Employees whose compensation is greater than \$900 per annum, but less than \$1,200 per annum.

Class 3. Employees whose compensation is as much as \$1,200 per annum, but less than \$1,400 per annum.

- Class 4. Employees whose compensation is as much as \$1,400 per annum, but less than \$1,600 per annum.
- Class 5. Employees whose compensation is as much as \$1,600 per annum, but less than \$1,800 per annum.
- Class 6. Employees whose compensation is as much as \$1,800 per annum, but less than \$2,000 per annum.
- Class 7. Employees whose compensation is as much as \$2,000 per annum, but less than \$2,500 per annum.
- Class 8. Employees whose compensation is as much as \$2,500 per annum, but less than \$3,000 per annum.
- Class 9. Employees whose compensation is as much as \$3,000 per annum, but less than \$3,500 per annum.
- Class 10. Employees whose compensation is as much as \$3,500 per annum, but less than \$4,000 per annum.
- Class 11. Employees whose compensation is as much as \$4,000 per annum or more.

REGULATION IV.

Amend regulation IV as follows:

Paragraph 1, line 1, after the word "Act" insert the words "and of section 1 of chapter 428 of the laws of 1897."

Paragraph 1, line 2, after the word "test" insert the words "merit and."

Paragraph 1, line 3, strike out the first word "The" and capitalize the word "examinations." In the same paragraph, line 4, after the word "capacity" strike out the words "and fitness."

Paragraph 3 (a), line 1, after the word "the" insert the words "merit and." In paragraph 3 (b) after the word "The" insert the words "merit and."

So that regulation IV shall read as follows:

1. In compliance with the provisions of paragraph 1 of section 3 of the Bi-Partisan Act, and of section 1 of chapter 428 of the Laws of 1897, the Civil Service Board shall provide examinations to test merit and fitness for admission to the classified service.

Examinations shall be open and competitive, practical in their character, and, so far as may be possible, shall relate to those

matters which will fairly test the relative capacity of the persons examined to discharge the duties of the place to which they seek appointment.

2. No person shall be appointed to, or be employed in, any position in the classified service until he shall have passed the examination provided therefor.

3. Where competent persons can be found who are willing to compete for a position in the classified service, no non-competitive examination shall be given, except as follows:

(a) To test the merit and fitness of a person for temporary clerical appointment, not to exceed sixty days, as provided by regulations VII, paragraph 8; (b) to test the merit and fitness of a person in the classified service for a place to which his transfer is sought, as required by regulation VIII, paragraph 3; (c) where, after due efforts by previous advertisement, or otherwise, competitive examinations may not be practicable.

4. It shall be the duty of all those in the service of the police department to conform to and comply with any by-laws made pursuant to these regulations, and to aid and facilitate in all reasonable and proper ways the enforcement of all by-laws and the holding of all examinations provided for under these regulations.

5. Examinations for admission into the service of the department shall be provided on such dates and at such places as the Civil Service Board, after consultation with the board of police, may designate, and whenever the needs of the service require.

Examinations for promotion in the service of the department shall be held at such times and places as the board of police may determine.

REGULATION V.

1. Every applicant for examination or for appointment must be and have been for the time hereinafter specified a citizen of the United States, must be of the age and residence hereinafter required, and must make application under oath upon a form prescribed by the Civil Service Board and accompanied by such certificates as may be required by the by-laws.

2. No person in the service of the United States army, navy or marine corps shall be examined for admission to the service of the department until the written consent of his commanding officer shall have been communicated to the police civil service board.

3. The civil service board may refuse to examine an applicant or to certify the name of an eligible—

(a) Who has been guilty of a crime or of infamous or notoriously disgraceful conduct, after obtaining the approval of the police board upon reasons stated.

(b) Who is so physically disabled as to be unfit for the performance of the duties of the position to which he seeks appointment.

(c) Who has been dismissed from public or private employment for delinquency or misconduct.

(d) Who has intentionally made a false statement of any material fact, or practiced or attempted to practice any deception or fraud in securing examination or appointment.

Any of the disqualifications mentioned shall be good cause for the removal of an appointee from the service.

4. No application for examination shall be accepted unless the applicant is within the age limits fixed herein for entrance to the position to which he seeks to be appointed, provided that no veteran shall be prevented by reason of his age alone from admission to any branch of the service for which the age limit is not fixed by law; and, further, provided that no person whose application reveals previous service in the grade or rank to which he seeks appointment shall be prevented by reason of his age alone from reappointment thereto.

5. Whenever an application reveals the fact that an applicant has been previously employed in the grade or rank for which application is made, said application, together with a letter stating the facts in the case, shall be transmitted to the board of police for their action, and said applicant shall not be examined for appointment to said grade or rank unless the board of police signify its approval by resolution.

6. The age limitations for admission to the service of the department shall be as follows for the respective positions herein below enumerated:

Classified service.	Minimum years. (as much as.)	Maximum years. (under.)
Patrolmen	21	30
Surgeon	25	40
Doorman	25	35
Matron	25	40
All other positions.....	21	No limit.

Labor service.	Minimum years. (as much as.)	Minimum years. (under.)
Cabin boy	16	No limit.
All other positions.....	18	No limit.

7. No application shall be accepted for examination for a position which belongs to one of the recognized mechanical trades unless it shall be shown that the applicant has served as apprentice or journeyman, or both, at said trade for such periods as the board of police may prescribe.

REGULATION VI.

Amend Regulation VI, as follows:

Paragraph 5, line 3, after the word "Of" insert the figures "35" in place of the figures "70." In the same line, after the word "examination," insert the words "and athletic examination when this is required." In the same line, after the word "appointment" insert the words "for merit." In the same paragraph, line 4, strike out the words "general average, in registers" and insert the words "their averages on lists." In the same paragraph, line 6, after the word "eligibles" insert the words "for merit." Strike out that portion of the paragraph commencing with the words "The term of eligibility" and ending with the words "unless extended by the board of police."

After paragraph 5, insert paragraphs "a," "b," "c," "d" and "e."

Paragraph 12, line 1, strike out the first word "Persons" and insert at the beginning of the paragraph the words "All persons covered by the provisions of Regulation V, paragraph 3."

So that Regulation V shall read as follows:

REGULATION VI.

1. Examination papers embracing scholastic tests shall be rated on a scale of 100, and the subjects therein shall have such relative weights as the Civil Service Board may prescribe. The relative weights of the subjects therein shall be determined by the Civil Service Board when the examination is for the admission of persons to the service of the department, and by the police board when the examination is for promotion.

2. Each competitor in each mental examination shall be notified of the general average attained upon examination.

3. All applicants for positions in the uniformed force or as surgeon or matron must undergo a medical examination by the police surgeons to test physical fitness for the duties of the position sought. The nature of such medical examination shall be prescribed by the Civil Service Board after consultation with the board of police surgeons, and subject to the approval of the board of police.

4. Applicants for patrolman and doorman shall undergo such athletic examination to test their strength and development as the board of police may determine.

5. All applicants for admission to the service of the department who successfully pass the medical examination and athletic tests, when these are prescribed, and who attain a general average of 35 or more upon mental examination and athletic examination when this is required, shall be eligible for appointment for merit to the position for which they were examined, and their names shall be enrolled, in the order of their averages, on lists to be known as the registers of eligibles for merit.

(a) In the exercise of the authority granted it by the provisions of section 2 of chapter 428 of the Laws of 1897, the board of

police hereby designates the secretary of the Police Civil Service Board and the chief examiner thereof a board to conduct examinations to determine the fitness of applicants for admission to the department.

(b) The merit of applicants for promotion shall be determined by examination conducted by the police board and the fitness of such applicants as shall be certified to be eligible for promotion for merit shall be determined by examination to be conducted by the board of police.

(c) Lists shall be prepared of competitors who successfully pass the examinations for merit and fitness and the period of eligibility of persons upon such lists shall be one year from date of registration upon same.

(d) No competitor who fails to attain at least 35 per cent. upon examination for fitness shall be deemed eligible for appointment.

(e) The fitness of applicants for appointment shall be determined by physical and athletic examinations where these are prescribed, under paragraphs 3, 4, and 5 of Regulations VI; in all other cases of applicants for appointment the examination to test merit shall be determined by an examination to be conducted by the board of police.

6. The names of all eligibles who are veterans shall be placed in the order of their averages at the head of the proper register of eligibles.

7. Any eligible for admission to the service of the department having previously served in that grade of the classified service to which he is eligible, may, upon the written request of the board of police, be specially certified for appointment irrespective of his standing upon the eligible register; the request stating that said eligible was separated through no delinquency or misconduct of his own, and within one year next before the date of the request, from that grade of the service to which he is eligible.

8. When two or more eligibles on a register have the same average rating precedence in enrollment shall be determined by the order in which their applications were filed.

9. The names of applicants for the labor service shall be recorded in a book called the "Laborer's Register." The order of registration shall be as follows:

- (a) Veterans with dependent families.
- (b) Veterans without dependent families.
- (c) Other applicants with dependent families.
- (d) Other applicants without dependent families.

All applications for the labor service shall be recorded in the said labor register in the exact order of their approval as to form, each in its proper subdivision as aforesaid. Said laborer's register shall be regarded as the register of laborers eligible for admission into the service of the department, and shall show the name, address, position sought, former occupation, the name of the vouchers for each applicant, and such other facts as may be needed to determine the order of registration to which the applicant is entitled.

10. No person shall be re-examined for the same position during the period of his eligibility. No person failing to pass a medical, mental or athletic examination will be admitted to any examination whatever within six months of the date of such failure, except that in failure to pass a medical or athletic examination an applicant may, upon statement of the removal of the medical or athletic disability for which he was rejected, be re-examined at any time within six months upon the written order of a police commissioner.

11. Whenever an eligible may be shown to have been guilty of a falsehood, intoxication, or of other notoriously disgraceful conduct, or of a violation of law, his name shall be stricken from the register, the reason for such action being recorded opposite the name of such eligible.

12. All persons covered by the provisions of Regulation V, paragraph 3, whose examinations have been cancelled for collusion, persons dismissed from the department for misconduct, and probationers failing to secure absolute appointment, shall not be admitted to any examination whatever thereafter except upon resolution of the board of police.

REGULATION VII.

1. Whenever a vacancy is to be filled by the admission of an eligible into the service of the department, the board of police shall make requisition upon a form provided for that purpose upon the Police Civil Service Board for the certification of the names of three eligibles, if there be so many, having the highest general averages on the proper register of eligibles. The said Civil Service Board will thereupon certify the required three names, their addresses, and general averages upon a proper form, and shall transmit said certification, together with the applications and examination papers of the persons certified to the board of police.

From each certification the said board of police must select at least one person for appointment. The names of the persons selected from each certificate shall be thereupon transmitted to the said Civil Service Board, and the papers of the persons certified shall be returned with the report of selection.

2. Each eligible for admission into the service of the department shall be entitled to three certifications if the said eligible is not sooner selected. But no name shall be certified more than three times to the appointing officer.

3. (For further consideration.)

4. If an eligible who is not entitled to certification is certified and appointed, or appointed without certification, his appointment shall be immediately revoked by the board of police upon notification of the facts in the case by the Civil Service Board.

5. All appointments to the service of the department shall be made for a probationary period which shall in no case continue less than one month. The probationary terms shall be—for the labor service and for the grade of patrolmen, one month; for all other grades, three months.

6. A person selected for appointment shall be notified of his, or her selection by the chief clerk, and upon acceptance and oath of office, shall be assigned to probationary duty forthwith. It shall be the duty of the immediate superior officer of each probationer to carefully observe and note the conduct and capacity of such probationer, and at the end of the probationary term to report in writ-

ing to the board of police through the commanding officer of the precinct, the chief clerk, or other head of the division of the service to which the probationary appointment is made, whether the conduct and capacity of the probationer have been satisfactory. On the presentation of such report to the board of police, said board shall determine whether or not the probationer shall be retained in the service of the department.

7. Whenever, upon request of the board of police, for a certification to fill by admission to the service of the department a vacancy actually existing, it shall appear from the written answer of the Civil Service Board to such request that there is no existing register of persons eligible to appointment to the vacant position, the vacancy may be filled by temporary appointment without examination until a regular appointment can be made, provided that such temporary appointment may be made as the result of non-competitive examination upon request of the board of police. Such temporary appointment shall in any case expire by limitation within sixty days after the provision of a register of eligibles for the position.

REGULATION VIII.

Amend regulation VIII as follows:

Paragraph 3, line 5, after the word "test" insert the words "merit and," so that Regulation VIII shall read as follows:

1. A person who has received absolute appointment may be transferred from any grade of the classified service to any other grade thereof upon the requisition and consent of the proper officers, and the certificate of the Civil Service Board.

2. No transfer shall be made of a person within the same branch of service or to any other branch of the service, if from original entrance to such position said person is barred by age or physical limitations prescribed therefor.

3. If, in the judgment of the board of police, there is required for the position to which transfer is sought, an examination involving essential tests more difficult than those involved in the examination required for original entrance to the position from which transfer is proposed, no transfer can be made except upon

the written statement of the Civil Service Board that the person whose transfer is sought has passed an examination to test merit and fitness for the place to which his transfer is sought.

REGULATION IX.

As provided by section 3, paragraph 7, of the Bi-Partisan Act notice shall be given in writing by the chief clerk to the Civil Service Board as follows:

- (a) Of every temporary appointment.
- (b) Of every probationary appointment.
- (c) Of every absolute appointment.
- (d) Of every failure of a probationer to secure absolute appointment.
- (e) Every declination of temporary, probationary or absolute appointment.
- (f) Every failure to qualify for temporary, probationary or absolute appointment.
- (g) Of every transfer from one to another of the grades mentioned in Regulation III, paragraph 2.
- (h) Every separation from the service and the cause of same—whether by dismissal, resignation or death.

The report of each of the above-mentioned cases shall state the date of the occurrence thereof.

Add the following Regulation:

REGULATION X.

Promotions.

1. Promotions of officers and members of the police force shall be made by the board of police on grounds of "seniority, meritorious police service and superior capacity."

2. Promotions shall be made as follows:

Sergeants of police shall be selected from patrolmen assigned to duty as roundsmen.

Captains from among sergeants.

Inspectors from among the captains.

Deputy chief of police from among inspectors and captains.

Chief of police from among deputy chief, inspectors and captains provided that whenever a vacancy shall occur in the office of chief of police, the office shall be filled by resolution of the board of police commissioners by appointment of the deputy chief of police or from among the inspectors and captains.

3. The merit of applicants for promotion shall be determined by examination conducted by the police board, and the fitness of such applicants as shall be certified to be eligible for promotion for merit shall be determined by examination to be conducted by the board of police.

4. The rating for merit shall be determined by a written competitive examination. This examination shall be practical in its character and consist of a careful examination as to the candidate's knowledge of the laws of the State of New York in regard to the suppression of crime, preservation of the good order, the apprehension of criminals and practice in the minor courts; the ordinances of the city; minor military tactics, rules and regulations of the department, and such other practical subjects as may be added from time to time by order of the board of police.

5. The rating for fitness shall be determined by a competitive examination held by the board of police. This examination shall be wholly written, and shall consist of a careful review of the record of each candidate as to his integrity and efficiency in the department; ability and services as a commanding officer; intelligence and discretion in the performance of duty of all kinds; personal character and standing as a private citizen; special gallant or commendable service involving hazard or danger; the successful detection and punishment of criminals; the reports of superior officers; length of service in the department, and in general a full and complete consideration of the candidate's record in the police department.

It shall be the duty of the chief clerk of the department, the chief of police, and all other officers to furnish the board of police in writing any information or data from records of the department relative to each candidate or to make special reports relative thereto at any time. Each candidate shall have the privilege of submitting to the board additional written statements or data

relative to his record and claims for promotion. All such records and written statements bearing upon the subjects of this examination from whatsoever source received shall be considered by the board in determining the rating for fitness.

6. The maximum rating for merit, and the maximum rating for fitness, shall be 50, and the minimum rating in each case shall be 35. No candidate who receives less than 35 in the examination for merit shall be entitled to examination as to fitness. No candidate who receives less than 35 per cent. in the examination for fitness, shall be deemed eligible for promotion.

7. The rating for merit shall be added to the rating for fitness of each candidate. The result so obtained constitutes the eligible list for each grade, and promotions must be made therefrom in the order of the combined rating of each candidate, subject to the preference given to veterans of the late war by the Constitution and laws of the State of New York.

8. The period of eligibility of candidates upon such lists shall be one year from the date of registration upon the same.

ALBANY, N. Y., *September 15, 1897.*

The foregoing amendments to the 'Civil Service Regulations' of the police department of the city of New York, having been duly examined are hereby approved by the New York Civil Service Commission.

Attest:

JOHN C. BIRDSEYE,

Secretary, pro tem.

Proposed Amendment to the Civil Service Regulations of the Police Department of the City of New York, Disapproved.

At a meeting of the board of police held August 13, 1897, it was

Resolved, That the Civil Service rules relating to age for surgeons be amended so as to read 25 to 42, instead of 25 to 40, and that the same be respectively referred to the State Civil Service Board with the request that they concur therein.

Disapproved, December 9, 1897.

CLARENCE B. ANGLE,

Secretary.

APPENDIX G.

CIVIL SERVICE REGULATIONS OF THE CITY OF ALBANY, BROOKLYN,
ELMIRA, NEW YORK, POUGHKEEPSIE, ROCHESTER, SCHENECTADY,
SYRACUSE, TROY AND YONKERS, APPROVED.



Rules and Regulations for Admission to the Civil Service of the City of Albany.

James H. Leake, John Wallace, Charles B. Tillinghast, Board of Civil Service Commissioners.

Pursuant to the statutes of the State of New York providing for examinations to ascertain and determine the merit and fitness of persons seeking to enter the civil service of the State of New York and the cities thereof, and the regulation of the same, I, John Boyd Thacher, mayor of the city of Albany, hereby prescribe the following rules and regulations for the admission of persons seeking to enter the civil service of the city of Albany, and for the conduct of persons who may receive appointments in the said service, to take effect from the date of their approval by the Civil Service Commissioners of the State of New York:

APPLICATION OF REGULATIONS.

REGULATION I.

These regulations shall apply to all positions in the public service of the city of Albany, with the exception of those hereinafter enumerated in Schedule A.

APPOINTMENT OF COMMISSIONERS.

REGULATION II.

For the purpose of ascertaining the merit of persons seeking or named for positions in the departments and offices of the municipal government to which these regulations apply, there shall be a Board of Civil Service Commissioners, which shall be composed of three citizens of the city of Albany designated and appointed by the mayor, each of whom shall be known as a Civil Service Commissioner of the city of Albany, and not more than two of whom shall belong to the same political party. The mayor may, at any time, by filing with the city clerk a written notifica-

tion of the change, appoint another citizen in the place of any one so designated. The commissioners shall serve without pay, and the mayor shall detail or employ a clerk, who shall act as the secretary of the board, and whose salary shall be fixed by the mayor. It shall be the duty of such Board of Civil Service Commissioners to conduct all examinations called for under these regulations, to ascertain the merit of candidates for admission into the civil service of the city in respect to character, knowledge and ability for the particular branch of the service into which they seek to enter, and to estimate and determine the relative excellence or standing of the persons examined, and to certify the same in such manner and form as may be prescribed. The secretary of the board shall keep the minutes of their proceedings and all necessary records of applicants, their examinations and standings, and a complete record of all persons employed in the several departments and offices to which these rules and regulations apply, and of all appointments, promotions, transfers, dismissals, resignations and changes of any sort therein. When not in attendance upon the board, the secretary will act under the direction of the mayor.

CLASSIFICATION OF POSITIONS—SCHEDULE A.

REGULATION III.

The civil service of the city of Albany is hereby classified and divided into Schedules A, B, C and D, hereunto attached, and hereby made a part of these rules.

Schedule A shall include:

First.—All officers elected by the people.

Second.—The subordinates of any such officers for whose errors or violation of duty said officer is financially responsible.

Third.—The head or heads of any department or office of the city government.

Fourth.—All deputies of officers and commissioners duly authorized by law to act for their principals, and all persons whose official relations are necessarily strictly confidential to the head of the office or department in which they serve.

Fifth.—Secretaries or clerks of boards and commissions who are by law required to be members of boards and commissions on which they serve.

Sixth.—Any subordinate officer who, by virtue of his office, has personal custody of public moneys or public securities, for the safe-keeping of which the head of an office or department is under official bonds.

Seventh.—Persons employed in or who seek to enter the educational department of the city.

Eighth.—There shall also be included in Schedule A, in the event of an epidemic or other similar emergency in which the public health is seriously endangered, such experts and special inspectors as the board of health may, with the written approval of the Civil Service Commissioners of the city of Albany, appoint. Such appointment shall, however, continue only during the existence of such epidemic or similar emergency.

NOTIFICATION OF APPOINTMENTS—SCHEDULE A.

REGULATION IV.

The appointments to positions comprised in Schedule A may be made without examination under these regulations, but such examination may be held upon the request of the appointing officer. Appointing officers must notify the Board of Civil Service Commissioners in writing of all appointments to such positions within five days after the same are made, setting forth the full name of such appointee, the date and place of birth, length of residence in the city of Albany, nature of previous employment, whether he has ever been in official service before, and if so, when and where; date of beginning of service and term for which appointed, salary, and the name of the person in whose place appointed; all of which shall be duly certified by the appointing officer. In these rules the term "appointing officer" shall be construed to include any person, board or commission having the power to appoint to any position in the civil service of the city of Albany.

APPLICATION FOR EXAMINATION—SCHEDULE B.

REGULATION V.

Applications of competitors for positions included in Schedule B must be addressed to the secretary of the Board of Civil Service Commissioners of the city of Albany, at the office of the Board in the City Hall in said city. The application must be verified and in the handwriting of the applicant. It must state:

First.—His full name and residence, giving street and number.

Second.—His term of residence in the city of Albany.

Third.—His citizenship.

Fourth.—His date of birth.

Fifth.—His place of birth.

Sixth.—His previous employment in the public service, if any, and whether he has ever been discharged therefrom, and if so, the reason thereof.

Seventh.—His business or employment for the last preceding five years.

Eighth.—The extent, place and nature of his education.

Ninth.—If in the military or naval service of the United States in the late war, the name of organization or vessel to which attached, date of enlistment or commission, position or rank, date and cause of discharge from the service, and any physical disability incurred in such service.

Tenth.—Such other information must be furnished as the Board may reasonably require touching the applicant's fitness for the public service. The application must be accompanied by a certificate of a practicing physician of good repute that he has examined the applicant and found him free from any physical defect or disease that would be likely to interfere with the proper discharge of his duties in the position in the civil service sought for by such applicant, and by the certificate of not less than three nor more than five reputable citizens of the city that they have been personally acquainted with the applicant for at least one year, and believe him to be of good moral character, of temperate and industrious habits, and in all respects fit for the service which he wishes to enter, and that they are willing that such cer-

tificate shall be published for public information, and will, upon application, give such further testimonials in regard to such applicant as may be required. The applicant must also state in his application the position he seeks. Where the applicant is a non-resident, but eligible for appointment under the provisions of Regulation XXIII, two of the citizens making the certificates herein above referred to may be residents of the applicant's place of residence.

DEFECTIVE APPLICATIONS—AGE QUALIFICATION.

REGULATION VI.

Defective applications may be suspended by the Board and applicants notified to amend the same, but the Board shall not be compelled to give such notice or grant such opportunity a second time. Whenever the application does not show that the applicant is within the prescribed limits of age, and is otherwise qualified under the regulations, the application will be rejected. All candidates shall be at least twenty-one years of age and not more than sixty years of age at the date of their examination, except as hereinafter provided in Regulation XXXVII.

NOTIFICATION OF EXAMINATION.

REGULATION VII.

Whenever the demands of the service may require, the Board of Civil Service Commissioners will notify all applicants whose applications have been filed and are on record, or such number thereof as can be examined conveniently at one time, to appear for examination, giving place, date and hour for such examination.

DEFINITION OF "MERIT."

REGULATION VIII.

The term "merit," whenever used in these regulations, shall be construed to mean "good quality in general; excellence; that which deserves consideration or reward."

DEFINITION OF "FITNESS."

REGULATION IX.

The term "fitness," whenever used in these regulations, shall be construed to mean "the state of being fitted or qualified; requisite capacity."

EXAMINATION FOR MERIT.

REGULATION X.

Pursuant to chapter 428 of the Laws of 1897, in all examinations for appointment and promotion in the civil service of the city of Albany, merit and fitness shall be determined by and upon competitive examinations for all positions in Schedule B, as herein provided. The merit of all applicants shall be determined by examination conducted by the Board of Civil Service Commissioners. Upon all examinations to determine the merit of the applicants, no rating higher than fifty per centum shall be given to any person. Lists containing the names and rating of all applicants found on such examination to be eligible for appointment and promotion for merit shall be made up for certification to the person or persons holding the power of appointment or promotion, in the manner provided in these regulations. The minimum percentage of rating necessary to entitle an applicant to a place upon such list as eligible for merit shall be seventy per centum of fifty, or thirty-five.

EXAMINATION FOR FITNESS.

REGULATION XI.

The fitness of applicants certified to be eligible for appointment or promotion for merit shall be determined by examination, to be conducted by the person or persons holding the power of appointment or promotion, or by some person or board designated by such person holding the power of appointment or promotion, and the rating on such examination for fitness shall not exceed in any case fifty per centum. The minimum percentage of rating necessary to entitle an applicant to a place upon such list as eligible for fitness shall be seventy per centum of fifty,

or thirty-five. The rating obtained upon the examination for fitness shall be added by the person or persons holding the power of appointment or promotion to the rating to each applicant certified to be eligible for merit respectively by the Board of Commissioners. The result of the combined ratings for merit and fitness shall be certified to the Board of Commissioners by the person or persons holding the power of appointment or promotion in every case within five days after the date upon which the result of the examination for fitness has been ascertained. The questions and answers in all examinations by or under the direction of the appointing power as herein provided shall either be in writing or taken down stenographically, and then reduced to writing, and shall be certified to the board with the rating obtained upon such examination.

CONDUCT OF EXAMINATION.

REGULATION XII.

The actual conduct of every examination for merit shall be under the responsible direction of the Board of Commissioners or of its designated members, free from the interference or participation or influence of the appointing officer or of any person other than the assistant examiners or experts directly employed by the Board of Commissioners. No person employed in a department for whose benefit an eligible list is to be prepared shall be employed as an expert upon the merit examination for such eligible list. The Board of Commissioners may in the examinations give such relative importance to the different subjects or matters of examination, whether mental or physical, or to experience, occupation or training as to them may seem fit. At or before the commencement of every examination, the weight to be given to every subject included in the examination, and the general or average minimum and the minimum, if any allowable, upon each subject, shall be announced to the applicants. The appointing officer shall prescribe to the Board of Commissioners, and upon their request he shall state to the Board of Commissioners, so far as is consistent with these regulations, the

general qualifications or attainments, physical or mental, or both, and the experience he deems necessary or proper to be possessed by persons filling the positions for which an eligible list for merit is to be formed, and also of what age such persons should be.

CHARACTER OF EXAMINATION.

REGULATION XIII.

All examinations, whether for merit or for fitness, shall be practical in their character, and shall relate to those matters which shall fairly test the intelligence, competency, suitability and character of the applicants to discharge the duties of the service for which they seek to be appointed. The Board of Commissioners, with the approval of the Civil Service Commissioners of the State, shall determine when examinations are not practicable, and when competitive examinations are not practicable in cases relating to the civil service of the city of Albany.

PHYSICAL EXAMINATION.

REGULATION XIV.

Whenever physical qualifications are of prime importance to the proper discharge of the duties of any position, applicants must pass an additional examination as to their physical condition and capacity, and be certified as qualified in such respects before their application shall be filed of record for mental examination.

POLITICAL OPINIONS OF CANDIDATES.

REGULATION XV.

No recommendation or question under the authority of these regulations shall relate to the political opinions or affiliations of any person whatever. Nor shall political opinions be discovered or considered by the Board of Commissioners in their examinations. The Board of Commissioners shall not receive or consider any communication as to the qualifications or merits of any candidates for a position except such as are herein permitted, and except such communications as they may invite by way of verification of statements made by the candidate.

ELIGIBLE LIST.**REGULATION XVI.**

An eligible list shall be prepared by the Board of Commissioners from time to time, as the needs of the service require, upon competitive examination, for each of the different grades in Schedule B, from the candidates who have been found to be duly qualified for the position for which such eligible list is prepared, and in the order of merit as shown by the respective percentages of their aggregate markings. Such eligible list shall be open for inspection to all citizens at the office of the secretary of the Board of Commissioners. The name of no person shall remain on the eligible list for a period of more than one year.

REGRADING.**REGULATION XVII.**

Where an examination for merit for any grade is had before the eligible list for that grade is exhausted, a new list shall be prepared after such examination. The persons upon the former eligible list who have not been examined for the new eligible list shall be respectively placed upon the new eligible list in the position to which the percentage of their aggregate markings upon their former examinations would entitle them if such markings had instead been given them upon the new examination.

FORMER LISTS CONTINUED.**REGULATION XVIII.**

All eligible lists existing prior to May 15, 1897, for appointment or promotion in the civil service of the city of Albany, shall be continued in full force and effect, except as otherwise provided in Regulation XVI, and may be certified to the person or persons holding the power of appointment or promotion; provided, however, that the ratings therein given shall be divided by two, and the result of such division shall be the rating for merit, as determined in Regulation X, and the fitness of such applicants shall then be determined by examination, and their

standing ascertained and preference in appointment or promotion given according to the provisions of Regulation XI, Regulation XXI and Regulation XXXVII.

WRITTEN OR ORAL EXAMINATIONS.

REGULATION XIX.

In the creation of new eligible lists for merit, the ratings of fifty per centum for merit shall be based upon such written or oral examinations, or both, as the Board of Commissioners shall determine.

CORRECTION OF ERRORS.

REGULATION XX.

The mayor shall have power, in his discretion, whenever in his judgment the interests of the public service require it, to order a re-examination of applicants for any position, and the Board of Commissioners shall have power to correct any error and amend or revoke any schedule, list or other paper or record where it appears that any error or injustice has been done, or where any person whose name appears on any eligible list has for any reason become incapacitated for appointment in the public service, to strike such name from said list; provided, however, that after an eligible list is prepared and certified it shall not be altered or revoked except upon notice by mail or otherwise, as the Board of Commissioners may direct, to all persons whose standing may be unfavorably affected by the alteration.

CERTIFICATION FOR APPOINTMENT.

REGULATION XXI.

Applicants examined as in these regulations provided shall be preferred for appointment and promotion, according to their standing, ascertained by adding together the rating for merit and the rating for fitness. For each appointment or promotion one name shall be certified by the Board of Commissioners to the person or persons holding the power of appointment or promotion, and such name shall be that of the person the result of

whose combined ratings for merit and for fitness is highest in the examination for the position for which the appointment or promotion is to be made; provided, however, that the preference accorded to veterans of the late war by the Constitution and laws of the State of New York shall be regarded in said certification.

SUSPENSION OF REGULATION.

REGULATION XXII.

In case of a vacancy in any position in Schedule B where peculiar and exceptional qualifications of a scientific, professional or educational character are required, and upon satisfactory evidence that for specified reasons competition in such special case is impracticable, and that the position can be best filled by the selection of some particular person of high and recognized attainment in such qualities, the Board of Commissioners may suspend the provisions of the rule requiring competition in such case; but no such suspension shall be general in its application to such place, and all such cases of suspension shall be reported to the Civil Service Commissioners of the State of New York, and their approval obtained, before the same shall be made.

QUALIFICATIONS AS TO RESIDENCE AND CITIZENSHIP.

REGULATION XXIII.

Every applicant for examination must be a citizen of the United States and an actual resident of the city of Albany at the time of his application; provided, that such requirements as to citizenship and residence may be specially suspended by the Board of Commissioners as to any position requiring high professional, scientific or technical qualifications; but all such cases, with the reasons therefor, shall be entered on the records of the board opposite the name of the candidate.

REQUIREMENTS IN EXCEPTIONAL CASES.

REGULATION XXIV.

In applications for examination for positions requiring scientific, professional or technical qualifications, the Board of Com-

missioners may require evidences of special education for or of practical experience for a satisfactory term in such science, profession, art or trade; and shall require the production of such certificates of competency and license as are provided by the statutes of this State as necessary to enable the practice of any profession, art or trade.

CANDIDATES UNFIT FOR APPOINTMENT.

REGULATION XXV.

In case any appointing officer shall become satisfied that the character or reputation of any person named on an eligible list is such as to make it unfit or improper to appoint him to a position in the civil service of the city of Albany, he shall so state to the Board of Commissioners of the city of Albany. And the Board of Commissioners shall have power, in every case where they are satisfied that the character or reputation of any applicant for a position, or any person named on an eligible list, is such as to make his appointment to a position in the civil service unfit or improper, to strike the name of such person from the roll of persons for examination or from an eligible list; providing that before they shall so strike his name from such roll or list they shall advise him of the general grounds upon which they are about to proceed, that he may make such explanation as he may deem proper. And while making any investigation of the character or reputation of any person on an eligible list, the Board of Commissioners may, after causing to be entered on its minutes a statement of the information received by the board tending to impugn such character or reputation, suspend certification of such candidate for a period not exceeding ten days, but nothing in this regulation shall be so construed as to give to any person the right to a proceeding in the nature of a trial before the Board of Commissioners. No person who has entered upon any examination for a position in Schedule B or Schedule C shall be entitled to be admitted within one year from the date thereof to a new examination for the same grade of position.

TEMPORARY APPOINTMENTS.

REGULATION XXVI.

No temporary appointment to a position within Schedule B shall be made of any one not eligible for permanent appointment, excepting that in case of exigency upon the certificate of the chairman of the Board of Commissioners that there are no candidates upon an eligible list for the position, and with the approval of the mayor, such temporary appointment may be made, and the appointee may hold office thereunder until an eligible list is prepared, and such eligible list shall thereupon be forthwith prepared, and the position shall then be filled from such eligible list. In the event of the appointment of special patrolmen pursuant to the provisions of law, such special patrolmen may be appointed without examination. The name of a person on an eligible list who has received a temporary appointment shall, notwithstanding such appointment, be deemed to still remain upon the eligible list for the purpose of a certification for a permanent appointment, in like manner as if he did not hold such a temporary appointment. No temporary appointment shall continue more than two months, except as hereinbefore provided, and except in cases where the Board of Civil Service Commissioners shall certify a longer continuance of such temporary appointment to be necessary for the public service.

METHODS OF EXAMINATION — SCHEDULE C.

REGULATION XXVII.

Positions in Schedule C may be filled by the appointing officer in his discretion in respect to the method of examination. The discretion of the officer in such case shall be limited as follows:

First.—He may select from the eligible list prepared as the result of an open competitive examination; or,

Second.—He may name to the Board of Civil Service Commissioners three or more persons for competitive examination, and appoint the one graded highest as the result of an examination for merit and an examination for fitness; or,

Third.—He may appoint or employ any person named by him, who, upon a non-competitive examination, shall be duly certified by the Board of Civil Service Commissioners as qualified to discharge the duties of the position.

CERTIFICATE OF QUALIFICATION — SCHEDULE C.

REGULATION XXVIII.

Upon the non-competitive examination into the qualifications of a person named for a position in this schedule the Board of Commissioners will give a certificate to such person only when satisfied (1st) that he is within the limits of age prescribed by the position or employment to which he has been named; (2d) that he is properly certified as free from any physical defect or disease which is likely to interfere with the proper discharge of his duties; (3d) that his character is such as to qualify him for such position or employment; and (4th) that he possesses the requisite knowledge and ability to enter on the discharge of his official duties. An officer naming a person for examination will at the same time transmit his certificate, that after due inquiry he is satisfied that the character and habits of the person named fit him for the public service, and will append to the certificate such formal vouchers or credentials as to character as he may desire to have considered or to put on file. In the determination of the character or habits of the nominee, the certificate thereof by nominating officer will be considered as essential.

SELECTION OF METHOD OF EXAMINATION.

REGULATION XXIX.

Whenever a vacancy in this schedule in any department, office or institution is to be filled, the officer having the authority to fill the same shall notify the Board of Commissioners which of the three methods, in his discretion, under Regulation XXVII, he selects; and if the choice be by an open competition, the board will proceed as for an examination under Schedule B; but if the choice be by a limited competition, or by the appointment of a person to be duly certified by the board as qualified, the officer

aforesaid shall name in such notification the person or persons to be examined, and thereupon the Board of Commissioners shall notify the person or persons so named of the time, place and special regulations for the examination.

REGISTRATION AND APPOINTMENT—SCHEDULE D.

REGULATION XXX.

1. Applicants for positions under Schedule D, who produce satisfactory evidence of their capacity for labor; and their habits as to industry and sobriety shall be registered in the order of their application. The register shall state the (1) name, (2) age, (3) residence, (4) citizenship, (5) number and relationship of persons depending for support on the applicant, (6) service in the army or navy in time of war, (7) previous occupation, (8) reference; and such other information as may be required.

2. When the services of employees Schedule D are required, the officer or person having the appointment or selection shall notify the Board of Commissioners, stating the number of men wanted, kind of labor for which they are wanted, and the time and place of employment; and the Board of Commissioners shall thereupon send to the officers or the person making the requisition the names and residences of twice the number of men called for (if the register contains so many), making an impartial selection; giving preference to those who have served in the army or navy of the United States in time of war, and been honorably discharged therefrom, and to those having families dependent on their support.

3. The selection shall be made from the lists so furnished and the names of those employed shall be returned to the Board of Commissioners forthwith. At the end of their term of service, the persons so employed may keep their places on the register, upon application to the examiners and proof that their labor has been satisfactory. The lists above provided for shall remain in force for one year.

4. In case the Board of Commissioners are unable to fill a requisition for laborers, the fact shall be certified to the officer

making the requisition, who shall then make the selection under such regulations as the Board of Commissioners may from time to time prescribe.

5. The Board of Commissioners may make such regulations as may be necessary to identify the registered applicants, and to preserve a record of their conduct.

PROBATIONARY APPOINTMENTS.

REGULATION XXXI.

Every original appointment or employment in Schedules B and C shall be for a probationary term of two months, at the end of which time, if the conduct and capacity of the person shall have been found satisfactory, the probationer shall be absolutely appointed or employed, but otherwise his employment shall cease. Any person so failing at the end of two months to receive permanent appointment, for good cause, shall be ineligible for a period of one year thereafter for a new examination for the same position under these regulations.

PROMOTIONS.

REGULATION XXXII.

Promotions will in all cases be based upon the positive merit of the person promoted and upon his superior qualifications, as shown by his previous service.

TRANSFERS.

REGULATION XXXIII.

Transfers of clerks and others included in Schedules B and C may be made from one office or department to a similar position in another, by the mutual consent of the heads of such offices or departments; every such transfer must be reported to the Board of Commissioners for record, within five days from the date thereof. No transfer will be permitted from a position enumerated in Schedule B to a position in Schedule C, or from a position

enumerated in Schedule C to a position in Schedule B, except by virtue of the examination and certification prescribed for the position to which they are to be transferred.

POLITICAL SERVICES OR CONTRIBUTIONS NOT REQUIRED.

REGULATION XXXIV.

No person in the public service is, for that reason, under any obligation to contribute to any political fund or purpose, or to render any political service, and no person shall be removed or otherwise prejudiced for refusing so to do.

POLITICAL ACTION UNAFFECTED.

REGULATION XXXV.

No person in the public service has the right to use his official authority or influence to coerce the political action of any person or body.

PENALTY FOR FALSE STATEMENTS.

REGULATION XXXVI.

Every false statement knowingly made by any person in his application for examination, and every connivance by him at any false statement made in any certificate which may accompany his application, or any wilful complicity by him in any fraud to improve his standing upon his examination, shall be regarded as good cause for removal or discharge of such person during his probation.

PREFERENCE OF VETERANS.

REGULATION XXXVII.

Persons who have been honorably discharged from service in the army or navy of the United States in the late war shall be preferred for appointments to positions in the public service over other persons; and the person thus preferred shall not be disqualified from holding any position in the civil service on account of his age, nor by reason of any physical disability, provided such disability does not render him incompetent to perform the duties of the position applied for.

POWER OF REMOVAL.**REGULATION XXXVIII.**

Subject only to the qualifications required to be ascertained in accordance with these regulations, the power of appointment and the responsibility of selection are in all cases in the appointing officer. The power to remove existing by law on the part of any officer is not impaired by anything contained in these regulations.

DISMISSALS.**REGULATION XXXIX.**

No one dismissed from the service for misconduct shall be admitted to examination for appointment in any capacity in any department of the municipal service within two years from the date of such dismissal.

REPORT OF TERM OF EMPLOYMENT.**REGULATION XL.**

It shall be the duty of each city officer, or board of city officers, appointing or employing an officer, clerk or other person in the service of the city, forthwith on such appointment or employment to report to the Board of Civil Service Commissioners the name of such appointee or employe, the title or character of his office or employment, and the date of the commencement of service by virtue thereof; and forthwith, on the termination of such service, to report to said board the fact and date and cause of such termination.

DUTY OF FISCAL OFFICERS.**REGULATION XLI.**

Any officer whose duty it is to sign or countersign warrants shall not draw, sign or issue, or authorize the drawing, signing or issuing of any warrant on the chamberlain or other disbursing officer of the city for the payment of salary to any person in its service whose appointment has not been made in pursuance of these rules. Any sums paid contrary to the provisions of these rules may be recovered from any officer signing or countersigning warrants for

the payments of the same, and from the sureties on his official bond, in an action in the Supreme Court of the State. No person in the civil service of the city of Albany whose position is subject to these regulations shall be entitled to compensation unless appointed pursuant to these regulations.

WHEN REGULATIONS TAKE EFFECT.

REGULATION XLII.

These regulations shall take effect on and after the date of their approval by the Civil Service Commissioners of the State of New York.

SCHEDULES.

The following is a list of the offices and positions in the civil service of the city of Albany, classified in accordance with the foregoing regulations, and therein referred to:

SCHEDULE A.

First.—Officers elected by the people, viz.:

The mayor.

The recorder.

Aldermen.

Justices of the city court.

Justices of the police court.

Second.—The subordinates of any of such officers, for whose errors or violation of duty said officer is financially responsible:

Mayor's first clerk.

Third.—The head or heads of any department of the city government, viz.:

1. Officers appointed by the mayor, viz.:

Assessors.

Corporation counsel.

School commissioners.

Police commissioners.

Water commissioners.

Excise commissioners.

Park commissioners.

Examining board of plumbers.

District physicians.

2. Officers appointed by the common council on the nomination of the mayor, viz.:

City chamberlain.

City engineer.

City physician.

City marshal.

Fire commissioners.

Inspector of weights and measures.

Members of the board of health.

Overseer of the poor.

Receiver of taxes.

Street commissioner.

Superintendent of the almshouse.

3. Officer elected by the common council, viz.:

Clerk of the common council.

Fourth.—Persons employed in or who seek to enter the educational department of the city:

All officers, members and employes of the board of public instruction, and those who seek to enter the educational department thereunder.

Fifth.—Any subordinate officer who, by virtue of his office, has personal custody of public moneys or public securities for the safe-keeping of which the head of an office is under official bonds, viz.:

Assistant corporation counsel.

Deputy chamberlain.

Deputy receiver of taxes.

Deputy overseer of the poor.

Sixth.—Secretaries of boards who are required to be members of the board to which they serve.

Secretary of Board of Fire Commissioners.

Secretary of Board of Police Commissioners.

SCHEDULE B.

First.—Mayor's office:

Mayor's second clerk.

Second.—Assessor's office:

Clerks.

Third.—Chamberlain's office:

Clerks.

Fourth.—Office of the clerk of the common council:

Deputy clerk.

Fifth.—Engineering department:

Assistant engineers.

Draughtsmen.

Rodmen.

Inspectors of sewers.

Inspectors of paving.

Chainmen.

Levelers.

Sixth.—Fire department:

Assistant engineers.

Supervising engineers.

Superintendent of fire-alarm telegraph.

Assistant superintendent fire-alarm telegraph.

Operators of fire-alarm telegraph.

Superintendent hose depot.

Assistant superintendent hose depot.

Engineers of steamers.

Firemen.

Drivers.

Foremen.

Tillermen.

Hosemen.

Clerk to commission.

Linemen.

Batterymen.

Permanent laddersmen.

Relief truckmen.

Seventh.—Office of the overseer of the poor:

Assistant overseer of the poor.

Examiners.

Eighth.—Police department:

Captains.

Sergeants.

Patrolmen.

Court officers.

Detectives.

Clerks.

Station-house keepers.

Police matron.

Ninth.—Park department:

Head gardener.

Clerk.

Tenth.—Receiver of taxes' office:

Clerks.

Eleventh.—Health department:

Clerk.

Inspectors.

Inspector of garbage.

Bath-house keeper.

Bath-house attendants.

Twelfth.—Street department:

Superintendent of streets.

Clerks.

Bridge-tenders in the employ of the city.

Thirteenth.—Water department:

Clerks.

Engineers.

Firemen.

Foremen.

Assistant foremen.

Machinists.

Inspectors.

Tappers.

Timekeepers.

Head keeper.

Fourteenth.—The janitor of the city building.

The assistant janitor of the city building.

Superintendents or janitors and caretakers of school buildings.

(Schedule B includes all clerks, copyists, recorders, stenographers, bookkeepers and others rendering clerical services, and not included in Schedule A, and all policemen, firemen, messengers, orderlies, court attendants, guards and keepers in station-houses, and all persons employed or appointed in the public service and not specially included in Schedules A, C and D.)

SCHEDULE C.

1. Chief of police.

Chief engineer of the fire department.

Deputy engineer and surveyor.

Engineer and secretary of park commissioners.

Superintendent of the water-works.

Secretary of the Board of Health.

Master mechanic of water-works.

2. Schedule C includes all persons whose duties are strictly professional, and who are employed to render temporary service of an exceptional character; also all persons who are employed in private business and occasionally render public service.

SCHEDULE D.

First.—Park department:

Laborers.

Teamsters.

Gardeners.

Second.—Street department:

Laborers.

Cartmen.

Teamsters.

Third.—Water department:

General laborers.

198 REPORT OF THE NEW YORK CIVIL SERVICE COMMISSION.

Day workmen.

Oilers.

Caulkers.

Watchmen.

Keepers.

Coal passers.

Fourth.—Schedule D shall include all persons employed as laborers or day workmen.

Respectfully submitted for approval,

JOHN BOYD THACHER,

Mayor.

ALBANY, *September 15, 1897.*

The foregoing Civil Service Regulations for the city of Albany, having been duly examined, are hereby approved as amended by the New York Civil Service Commission.

Attest:

[L. s.]

JOHN C. BIRDSEYE,

Secretary pro tem.

**Civil Service Rules and Regulations of the City of Brooklyn,
N. Y., Adopted by the Civil Service Commission of
Brooklyn, on June 16, 1897.**

Commissioners.—Alexander E. Orr, chairman; Jackson Wallace, vice-chairman; Truman J. Backus, Edward B. Jordan, Ludwig Nissen, George A. Price, Arthur S. Somers. Edward B. Lent, secretary.

COMPETITIVE EXAMINATIONS.

REGULATION I.

Appointments and promotions in the civil service of the city of Brooklyn shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations which, so far as practicable, shall be competitive.

APPOINTMENT OF COMMISSIONERS.

REGULATION II.

For the purpose of conducting the inquiries and examinations for merit, the mayor shall appoint seven suitable persons, citizens of Brooklyn, who shall constitute the Civil Service Commission of Brooklyn (hereinafter for brevity also called "The Commission"), and each member of which shall be known as a Civil Service Commissioner of Brooklyn. Not more than four of the Commissioners shall belong to the same political party, and no one of them shall be otherwise in the employ of the city. Each Commissioner shall, before entering upon the discharge of his duties, take and file with the city clerk an oath, in the general form prescribed for other city officers.

The mayor may, at any time, by filing with the city clerk a written notification of the change, appoint another citizen in place of any one so appointed, who shall thereupon cease to be such Commissioner. The Commissioners shall serve without pay.

The Commissioners shall from their number choose a chairman and a vice-chairman to act during their pleasure; and they may, from time to time, designate committees from their own number and may employ experts to conduct any of the various examinations and classes of examinations. The schedule of rating of the candidates, and the certificate or certificates upon each examination, and of recommendation, shall be signed by the chairman of the Commission. During the absence or inability to act of the chairman or vice-chairman, a temporary chairman, chosen by the Commission from its own number, may, in all respects, act as chairman.

The Commission may appoint and employ a secretary, a stenographer and typewriter, and such clerks and assistants as said Commission may consider necessary, and may fix the salaries or compensation of the persons so appointed and employed; and said Commission may also appoint and employ assistant examiners or experts, and may fix the compensation to be paid to them for their services, and may otherwise incur expenses not to exceed in the aggregate the amount which may have been appropriated for the expenses of said Commission.

The secretary of the Commission shall, under the direction of the Commission, keep minutes of its proceedings, and all necessary records of applicants, their examinations and standings, and a complete record of all persons employed in the several departments to which these regulations apply, and of all appointments, promotions, dismissals, resignations and changes of any sort therein.

All official action taken by the mayor under these regulations shall be recorded in writing under his own signature, and shall be filed among the papers of the Commission.

CLASSIFICATION OF POSITIONS.

REGULATION III.

These regulations shall apply to all positions in the public service of the city of Brooklyn, with the following exceptions specified in chapter 354 of the Laws of 1883, as amended by chapters 357 and 410 of the Laws of 1884, viz.:

"Officers elected by the people and the subordinates of any such officer for whose errors or violation of duty said officer is financially responsible, and the head or heads of any department of the city government, and persons employed in or who seek to enter the public service under the educational department of any city, and any subordinate officer who, by virtue of his office, has personal custody of public moneys or public securities, for the safe keeping of which the head of an office is under official bonds."

Appendix A, entitled "Excepted Positions," specifies the officers so excepted.

REGULATION IV.

The several clerks and persons employed, or being in the public service of Brooklyn, are hereby, pursuant to the provisions of the said act, first classified as follows (the excepted class being heretofore stated in Regulation III):

Schedule A shall include all persons who are not employed as laborers or day workmen, and who are not to be appointed upon competitive examination. The positions in Schedule A are specified in Appendix B, which is to be deemed part of these regulations, entitled "Positions in Schedule A."

There shall also be included in Schedule A, in the event of an epidemic or other similar emergency, in which the public health is seriously endangered, such experts and special inspectors as the commissioner of health may, with the written approval of the Commission, appoint. Such appointment shall, however, continue only during the existence of such epidemic or similar emergency.

Schedule B shall include all persons who are to be appointed upon competitive examination.

Schedule D shall include all persons employed as laborers or day workmen. The positions in Schedule D are specified in Appendix C, which is to be deemed part of these regulations, entitled "Positions in Schedule D."

Any new position in any of the departments, or any position omitted from these schedules and the said appendices (and not within the excepted class), is also to be deemed included in these

regulations; and, if occasion should arise, such position will be assigned by the Commission to its proper schedule, under the provisions of Regulation XLIII. Until so assigned, any such position shall be deemed to be in Schedule B, and in the class and grade therein, if any, containing positions like such new or omitted position. If there be no such class and grade, then a new class or a grade shall be constituted by the Civil Service Commission, to include such new or omitted position.

REGULATION V.

The several clerks and persons employed or being in the public service of Brooklyn, and included in Schedule B, are hereby, pursuant to the provisions of the said act, further arranged in classes as shown in the Appendix D, which is to be deemed part of these regulations, entitled "Classification of the positions in Schedule B, for the purposes of examination."

APPLICATION.

REGULATION VI.

Applications of competitors for positions included in Schedule B must be made in the form prescribed by the Commission, which form shall be spread in full upon the minutes of the Commission at the meeting at which it is adopted. All applications must be addressed to the "Secretary of the Civil Service Commission, City Hall, Brooklyn, N. Y.," and must be accompanied by the following papers:

First.—The affidavit of the applicant that he is a citizen of the United States, giving his address and stating the place, street and number of his residence for the last preceding year; his age and place of birth; the extent, place and nature of his education, and also of his business training and experience, and whether he has ever been in official service before, and, if so, when and where; and also whether he was honorably discharged from the military or naval service of the United States during the War of the Rebellion—in such case the discharge, or a duly certified copy thereof from the War or Navy Department at Washington, D. C., must be submitted with the application.

Second.—The certificates of not less than five reputable citizens of Brooklyn, each certifying that he, individually, has been personally acquainted with the applicant for at least one year, and believes him to be of good moral character, of temperate and industrious habits, and in all respects fit for the service he wishes to enter, and that such citizen is willing that his certificate should be published for public information. Certificates in favor of the applicant of present or former employers doing business or residing out of the city, will be received on the same basis as certificates of citizens of Brooklyn.

In case the applicant resides out of Brooklyn, two of the citizens making such certificates may be residents of the applicant's place of residence.

REGULATION VII.

Defective applications will be suspended and applicants notified to amend the same; but no such notice will be given or opportunity granted a second time. Whenever the application does not show that the applicant is within the prescribed limits of age, and is otherwise qualified under the regulations, the application will be rejected.

REGULATION VIII.

Registers of all applicants shall be kept by the Secretary of the Commission. When the applicants on a register for any one position, or for several positions for which one examination may be had, are in excess of such number as can be examined conveniently on the same day, the applicants will be notified to appear for examination in their order on the register.

REGULATION IX.

All applicants for appointment in the police department as patrolmen, that is to say, in Schedule B, Class 8, First Grade A, or in the park department as park policemen, that is to say, in Schedule B, Class 44, must have the following special qualifications:

First.—They must have been citizens of the United States two years and residents of Brooklyn at least one year next prior to the date of the examination.

Second.—They must be not less than twenty-three and not more than thirty-five years of age.

Third.—They must not be less than five feet seven and one-half inches, nor more than six feet three inches in height, and their weight and chest measurement shall be certified by the department surgeons, or ascertained upon examination by the experts of the Commission, to conform to height as per following table:

	Weight in lbs. must not be less than.....	Average chest measurement in inches to be not less than the following and to have expansion of at least three inches
For height of 5 ft. 7½ in.....	127½	33½
For height of 5 ft. 8 in.....	140	34
For height of 5 ft. 9 in.....	145	34½
For height of 5 ft. 10 in.....	150	35
For height of 5 ft. 11 in.....	155	35½
For height of 6 ft.....	160	36
For height of 6 ft. 1 in.....	165	36½
For height of 6 ft. 2 in.....	170	37
For height of 6 ft. 3 in.....	175	37½

All applicants for appointment in the police department as doorman, that is to say, in Schedule B, Class 8, second, must have the following qualifications:

First.—They must have been citizens of the United States two years and residents of Brooklyn at least one year next prior to the date of the examination.

Second.—They must be not less than thirty and not more than forty-five years of age.

Third.—They must not be less than five feet six inches in height and not less than one hundred and thirty pounds in weight.

All applicants for appointment as bridge keepers, that is to say, in Schedule B, Class 8, third, must have the following qualifications:

First.—They must have been citizens of the United States and residents of Brooklyn for at least three years next prior to the date of the examination.

Second.—They must be not less than twenty-eight and not more than forty years of age.

This regulation shall not contravene the provisions of the statute, as stated in Regulation XXIX, with relation to soldiers and sailors of the late war, honorably discharged.

REGULATION X.

Applicants for the positions included in Schedule B, Classes 11, 12, 13, 14 and 15, as shown in Appendix D, must, in addition to the requirements hereinbefore mentioned, present satisfactory evidence, as follows:

First.—If the position to be filled be that of sanitary inspector or assistant sanitary inspector (Class 12), or vaccinator (Class 11), that the applicant is duly authorized by the laws of the State of New York to practice medicine and surgery.

Second.—If the position to be filled be that of chemist (Class 13), that the applicant has received the degree of Bachelor of Science or its equivalent, from some institution duly authorized by law to confer such degree.

Third.—If the position to be filled be that of veterinary surgeon (Class 14), or veterinary inspector (Class 15), that the applicant has received the degree of Doctor of Veterinary Surgery, or its equivalent, from some institution duly authorized by law to confer such degree.

REGULATION XI.

The Commission shall not permit the fact that any applicant is authorized to practice his profession by one school of medicine rather than another, to have any influence in deciding his standing.

REGULATION XII.

Every false statement knowingly made by any person in his application for examination, and every connivance by him at any false statement made in any certificate which may accompany his

application, or willful complicity in any fraud designed to improve his standing upon the merit examination, shall be good cause for refusing such person such examination or any rating upon such examination, or for striking his name from any eligible list for merit, or for the removal of such person from any position to which he may have been appointed.

EXAMINATION FOR APPOINTMENT AND PROMOTION.

REGULATION XIII.

The term "merit" whenever used in these regulations, shall be construed to mean "good quality in general; excellence; that which deserves consideration or reward."*

REGULATION XIV.

The term "fitness," whenever used in these regulations shall be construed to mean "the state of being fitted or qualified; requisite capacity."*

REGULATION XV.

Pursuant to chapter 428 of the Laws of 1897, in all examinations for appointment and promotion in the Civil Service of the city of Brooklyn, merit and fitness shall be determined by open competitive examinations for all positions in Schedule B, as herein provided. The merit of all applicants shall be determined by examination conducted by the Commission. Upon all examinations to determine the merit of the applicants, no rating higher than fifty per centum shall be given to any person. Lists containing the names and rating of all applicants found on such examination to be eligible for appointment and promotion for merit shall be made up for certification to the person or persons holding the power of appointment or promotion in the manner provided in these regulations. The minimum percentage of rating necessary to entitle an applicant to a place upon such list as eligible for merit shall be seventy per centum of fifty, or thirty-five.

* Century Dictionary.

REGULATION XVI.

The fitness of applicants certified to be eligible for appointment or promotion for merit, shall be determined by examination, to be conducted by the person or persons holding the power of appointment or promotion, or by some person or board designated by the person or persons holding such power of appointment, or promotion, and the rating on such examination for fitness shall not exceed in any case fifty per centum. The minimum percentage of rating necessary to entitle an applicant to a place upon such list as eligible for fitness shall be seventy per cent. of fifty, or thirty-five. The rating obtained upon the examination for fitness shall be added by the person or persons holding the power of appointment or promotion to the rating giving to each applicant certified to be eligible for merit respectively by the Commission. The result of the combined ratings for merit and fitness shall be certified to the Commission by the person or persons holding the power of appointment or promotion in every case within five days after the date on which the result of the examination for fitness has been ascertained.

REGULATION XVII.

Where an examination for merit for any grade is had before the eligible list for that grade is exhausted, a new list shall be prepared after such examination. The persons upon the former eligible list who have not been examined for the new eligible list shall be respectively placed upon the new eligible list in the position to which the percentage of their aggregate markings upon their former examinations would entitle them, if such markings had instead been given them upon the new examination.

REGULATION XVIII.

The actual conduct of every examination for merit shall be under the responsible direction of the Commission or of its designated members, free from the interference or participation or influence of the appointing officer, or of any person other than assistant examiners or experts directly employed by the Commission.

No person employed in the department for whose benefit an eligible list is to be prepared, shall be employed as an expert upon the merit examination for such eligible list.

The Commission may, in the examinations, give such relative importance to the different subjects or matters of examination, whether mental or physical, or to experience, occupation or training, as to them may seem fit. At or before the commencement of every examination, the weight to be given to every subject included in the examination, and the general or average minimum, and the minimum, if any, allowable upon each subject, shall be announced to the applicants. The appointing officer shall prescribe to the Commission, and upon its request, he shall state to the Commission, so far as is consistent with these regulations, the general qualifications or attainments, physical or mental or both, and the experience he deems necessary or proper to be possessed by persons filling the position for which an eligible list for merit is to be formed, and also of what age such persons should be.

Physical examinations of applicants for positions in the uniformed police force (Schedule B, Class 8, First and Class 8, Second) or as bridgekeepers (Schedule B, Class 8, Third) shall, upon the request and under the authority and supervision of the Commission, be in part conducted as aforesaid by the surgeons of the Police Department, or any of them. Physical examinations of applicants for positions in the uniformed fire force (Schedule B, Class 9) shall, upon the request and under the authority and supervision of the Commission, be in part conducted as aforesaid by the surgeons of the Fire Department, or any of them. The surgeons of those departments so acting shall not be entitled to compensation beyond their salaries, the service rendered upon such examinations being deemed part of their official duties as surgeons in such departments. If, however, in any case of the physical examination of applicants for positions in the uniformed police or fire force, the Commission deem it necessary or proper, they may employ for the conduct of such examinations physicians or surgeons not in those departments.

REGULATION XIX.

All examinations, whether for merit, or for fitness, shall be practical in their character, and shall relate to those matters which shall fairly test the intelligence, competency, suitability and character of the applicants to discharge the duties of the service for which they seek to be appointed. The Commission, with the approval of the Civil Service Commission of the State, shall determine when examinations are not practicable, and when competitive examinations are not practicable, in cases relating to the civil service of the city of Brooklyn.

REGULATION XX.

No recommendation or question under the authority of these regulations shall relate to the political opinions or affiliations of any person whatever; neither shall political opinions be discovered nor considered by the Commission in their examinations. The Commission shall not receive or consider any communication as to the qualifications or merits of any candidates for a position except such as are herein permitted, and except such communications as they may invite by way of verification of statements made by the candidate.

No recommendation of any person who shall apply for office or place under these regulations, which may be given by any senator or member of assembly, or officer confirmed by the Senate, or judge of any court, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under these regulations. (Sec. 9, Chapter 354, Laws of 1883.)

ELIGIBLE LIST.

REGULATION XXI.

All the schedules, eligible lists, examination papers, minutes and other papers, memoranda and records of the Commission, save and except communications from appointing officers under Regulation XXIII shall be public and open to the inspection of any citizen upon reasonable application. And it shall be the

duty of the secretary of the Commission, upon tender of the cost of making the copies, to furnish to any citizen certified copies of any of the said schedules, lists, examination papers, minutes, papers, memoranda, or records, save as heretofore excepted; provided, however, that the papers, memoranda and other records relating to any particular examination shall not be made public until after the eligible list upon such examination is prepared and certified.

REGULATION XXII.

The Commission shall have power to correct any error and amend or revoke any schedule, list or other paper or record, where it appears that any error or injustice has been done; provided, however, that after an eligible list is prepared and certified, it shall not be altered or revoked, except upon notice, by mail or otherwise, as the Commission may direct, to all persons whose standing will be unfavorably affected by the alteration.

REGULATION XXIII.

In case any appointing officer shall become satisfied that the character or reputation of any person named on an eligible list is such as to make it unfit or improper to appoint him to a position in the civil service of Brooklyn, he shall so state to the Commission. And the Commission shall have power, in every case where they are satisfied that the character or reputation of any applicant for a position, or any person named on an eligible list, is such as to make his appointment to a position in the civil service unfit or improper, to strike the name of such person from the roll of persons for examination, or from an eligible list; providing, that before they shall so strike his name from such roll or list, they shall advise him of the general grounds upon which they are about to proceed, that he may make such explanation as he may deem proper. And while making any investigation of the character or reputation of any person on an eligible list, the Commission or its chairman may, after causing to be entered on its minutes a statement of the information re-

ceived by the Commission tending to impugn such character or reputation, suspend certification of such candidate for a period not exceeding ten days. But nothing in this regulation shall be so construed as to give to any person the right to a proceeding in the nature of a trial before the Commission.

REGULATION XXIV.

No examination, eligible list, certificate or proceeding of the Commission shall be prejudiced or affected by reason of any omission, informality or irregularity relating to any application or examination thereon, unless the person complaining or aggrieved shall notify the Commission prior to the completion of the examination of such omission, informality or irregularity, and unless after such notice the Commission shall determine such omission, informality or irregularity to be material.

REGULATION XXV.

All eligible lists existing prior to May 15, 1897, for appointment or promotion in the civil service of the city of Brooklyn, shall be continued in full force and effect and may be certified to the person or persons holding the power of appointment or promotion, provided, however, that the ratings therein given shall be divided by two, and the result of such division shall be the rating for merit, as determined in Regulation XV, and the fitness of such applicants shall then be determined by examination and their standing ascertained and preference in appointment or promotion given, according to the provisions of Regulation XVI, Regulation XXVIII and Regulation XXIX.

REGULATION XXVI.

In the creation of new eligible lists for merit, the ratings of 50 per centum for merit shall be based upon such written or oral examination or both as the committee in charge of a given examination shall determine.

REGULATION XXVII.

In the creation of eligible lists for fitness, the ratings given by the committee of this Commission shall rest upon the evidence of fitness shown by the experience sheets and the vouchers of the several applicants who have met the requirements for securing a place on the eligible list for merit in the given examination; but there shall also be a personal inspection of the applicants by the said committee or the expert conducting the examination, and whatever oral examination the said committee or the said expert may require, shall have such significance as the said committee or the said expert may determine, in fixing the ratings for fitness.

CERTIFICATION AND APPOINTMENT.

REGULATION XXVIII.

Applicants examined as in these regulations provided, shall be preferred for appointment and promotion according to their standing, ascertained by adding together the rating for merit and the rating for fitness. For each appointment or promotion one name shall be certified by the Commission to the person or persons holding the power of appointment or promotion, and such name shall be that of the person, the result of whose combined ratings for merit and for fitness is highest in the examination for the position to which the appointment or promotion is to be made, provided, however, that the preference accorded to veterans of the late war by the Constitution and laws of the State of New York, and by Regulation XXIX, shall be regarded in said certification.

REGULATION XXIX.

Persons who have been honorably discharged from service in the army or navy of the United States in the late war, shall be preferred for appointment to positions in the civil service over other persons of equal standing, as ascertained under these regulations, and the person thus preferred shall not be disqualified from holding any position in the civil service on account of his age, or by reason of any physical disability, provided such disability does not render him incompetent to perform the duties of the position applied for.

The Civil Service Acts, as amended by chapter 410, of the Laws of 1884, as amended by chapter 29, of the Laws of 1886, provide, etc.:

That "persons who served in the army and navy of the United States in the late war, and have been honorably discharged therefrom * * * shall be certified as such, by the commissioners, board or officers authorized to report names for appointment, to the appointing officer or other appointing power, and shall be preferred for appointment to positions in the civil service of the State, and of the cities affected by this act and the several acts hereby amended, over all other persons, though graded lower than others so examined and reported, provided their qualifications and fitness shall have been ascertained as provided under this act and the several acts hereby amended; and the person thus preferred shall not be disqualified from holding any position in said civil service on account of his age, or by reason of any physical disability, provided such age or disability does not render him incompetent to perform the duties of the position applied for. Whenever it shall appear after a competitive examination for appointment to a position in the civil service of the State, or of the cities affected by this act and the several acts hereby amended, that more than one such honorably discharged soldier or sailor is qualified to fill the same, the commissioners, board or officers authorized to report names for appointment, shall certify to the appointing officer or the appointing power, all such honorably discharged soldiers and sailors, whose qualifications and fitness have been ascertained as aforesaid, specifying their respective grades in such examination." * * *

REGULATION XXX.

Appointments to positions in Schedule A may be made without examination; but the appointing officer shall file with the secretary of the Commission, within five days after making any such appointment, a formal notification thereof in writing, setting forth the full name of such appointee; date and place of birth; length of residence in Brooklyn; nature of previous employment;

whether he has ever been in official service before, and, if so, when and where; date of beginning of service and term for which appointed; a specific description of the duties of the position; salary; name of person in whose place appointed, and such other statistical information as the Commission may deem proper for registration; the same to be duly certified by the appointing officer.

In these regulations the term "appointing officer" shall be construed to include any person, board or commission having the power to appoint to any position not excepted from these regulations in the civil service of the city of Brooklyn.

REGULATION XXXI.

Where a person upon an eligible list shall decline to accept an appointment, whether temporary or permanent, to a position permanent in its nature, and upon request of the Commission shall not explain such declination satisfactorily to the Commission, factory by the Commission, unless, the person declining appointment state in writing that he declines because he is at the time holding what he considers a better position; or if the salary offered the Commission may strike his name from the eligible list.

No reason for declining appointment shall be considered satisfactory, he must state, also in writing, the salary which he will accept; and duplicates of all such letters of declination must be referred to the Chairman of the Commission, who is hereby authorized to accept or refuse to accept the same.

The name of a person who declines an appointment for the reason that he is holding a position which he prefers, shall not be certified again for appointment until he notifies the Commission, in writing, that he no longer holds the particular position which he referred to when he declined appointment.

The name of a person holding a position in any grade shall not be certified for appointment from an eligible list for that grade, or from a list for a lower grade in the same class, or for a position in any other class which carries the same or less salary, unless such person requests the Commission to so certify his name.

REGULATION XXXII.

No temporary appointment to a position within Schedule B shall be made of any one not eligible for permanent appointment, excepting that in case of exigency, upon the certificate of the Chairman of the Commission, that there are no candidates upon an eligible list for the position, and with the approval of the Mayor such temporary appointment may be made, and the appointee may hold office thereunder until an eligible list is prepared, and such eligible list shall thereupon be forthwith prepared and the position shall then be filled from such eligible list. In the event of the appointment of special patrolmen pursuant to the provisions of the City Charter, such special patrolmen may be appointed without examination, and without reference to the qualifications laid down in these regulations.

The name of a person on an eligible list who has received a temporary appointment shall, notwithstanding such appointment, be deemed to still remain upon the eligible list for the purpose of his certification for a permanent appointment, in like manner as if he did not hold such temporary appointment. No temporary appointment shall continue more than two months, except as herein before provided, and except in cases where the Civil Service Commission shall certify a longer continuance of such temporary appointment to be necessary for the public service.

PROBATION.

REGULATION XXXIII.

All appointments to permanent positions within Schedule B, except upon the uniformed police force, upon the uniformed fire force, and upon the park police force, shall be upon a probationary term of two months at the end of which time the appointee, unless he shall, before the end of three days thereafter, be notified of his rejection by the head of the department, shall be deemed to have received a permanent appointment. Any one failing at the end of two months so to receive permanent appointment for good cause, shall be ineligible for one year for a new examination for the same position under these regulations. It shall be the duty of the ap-

pointing officer so refusing such permanent appointment at the end of a probationary term, to certify to the Commission the cause of his refusal, in order that the Commission may decide whether the person to whom he has refused such permanent appointment is ineligible for one year.

REGULATION XXXIV.

Before an appointment upon the uniformed fire force (Schedule B, Class 9) is definitely made, the fire commissioner may require that the person whom he contemplates appointing, of those certified to him from the eligible list, shall serve without pay for a period not exceeding ten days, in the repair shop of the fire department, or with some fire company, and, if at the end of such period, the fire commissioner, from the report of the officer in charge of the repair shop, or company, or from other trustworthy information, becomes satisfied that such person is incompetent for the duties of the position to be filled, the fire commissioner may, in such case, refuse to such person an appointment as provided in regulation XXXIII. Without the consent of the fire commissioner, such person shall not again be certified to him for appointment.

PROMOTION.

REGULATION XXXV.

No promotion from one grade to a higher grade of the same class in Schedule B shall be made until after the person promoted has, for at least one year, occupied the position in the lower grade. No promotion or transfer shall be made from one class to another in Schedule B, otherwise than upon competitive examination.

REGULATION XXXVI.

If the rate of compensation for a position within any grade of Schedule B be increased beyond the rate or limit of rate of compensation for that grade, as specified in Appendix D, the position, by virtue of such increase shall be deemed placed in the grade, in the same class of Schedule B, which contains positions entitled to the compensation as so increased; and the person holding the position

in the former grade shall not be transferred with or to the position when so placed in the higher grade, unless he be promoted in pursuance of these regulations. But nothing in these regulations contained, in cases where, in the judgment of any appointing officer, by reason of increase in efficiency or merit, or by reason of length of service the compensation of any person holding such a position in any grade of Schedule B ought to be increased, shall prevent such appointing officer from making such increase within the limit of the maximum so specified for such grade.

Nor shall anything in these regulations be deemed to prevent an increase in salary by virtue of length of service, where such increase is provided by law.

REGULATION XXXVII.

No person shall be appointed or promoted to be a foreman in the uniformed fire force (Schedule B, Class 9, Grade C) who shall not have been a member of such uniformed force for at least two years, immediately preceding such appointment. No person shall be appointed or promoted to be a district engineer in the fire force (Schedule B, Class 9, Grade D) who shall not have been a member of the uniformed force for at least four years immediately preceding such appointment, and in the last two years of which he shall have served in the grade next below that of district engineer.

REGULATION XXXVIII.

Promotion shall not take place from one grade to a higher grade in the following classes of Schedule B: Class 8, uniformed police force; Class 9, uniformed fire force; Class 44, park police; except upon competitive examination, to determine merit and fitness as provided in Regulations XV and XVI.

And the competition shall be limited to the persons in the grade next below the grade to which promotion is to be made; provided, however, that promotion to Class 8, first, Grade C (police sergeants), may be made from Grade B (roundsmen), or from detective sergeants of three years' continuous service as

such in the department, and in competition for the rank of captain (Class 8, first, Grade D), competition shall be limited to police sergeants, to detective sergeants and to telegraph operators who have the rank and pay of police sergeants.

Sergeants who may have been in command of precincts or sub-precincts for not less than three months during the year next preceding the date on which the vacancy to be filled was created, and who have demonstrated their ability to command, may, in the discretion of the Commissioner, be promoted without competitive examination.

In determining such merit, upon such competitive examination for promotion, especial weight shall be given by the Commission, or examiners so far as practicable, to the merit of the work done by the applicant in the position from which he seeks promotion, and in weighing such merit, length of service may be considered. Such merit shall be determined from the records and papers of the office or position in which he has been employed, so far as they show his diligence, punctuality, steadiness and other merit; and from his work in such office or position, so far as it remains or can be inspected; and from such other evidence of such merit as the Commission or examiners may deem it proper to consider.

TRANSFER.

REGULATION XXXIX.

Transfers of persons included in the same grade of any class in Schedule B may be made from one office or department to another, by the mutual consent of the heads of such offices or departments; providing that the annual rate of compensation in the place to which the person is transferred shall not exceed the annual rate of compensation applicable to that grade. Every such transfer must be reported to the Commission for record within five days from the date thereof. No transfer will be permitted from a position enumerated in any class within Schedule B to a position enumerated in any other class within Schedule B, or from Schedule A or Schedule D, to any position in Schedule B, except by virtue of the application, examination and other pro-

ceedings, which are in these regulations prescribed for admission to the position to which the transfer is to be made.

DISMISSAL.

REGULATION XL.

No one dismissed from the service for misconduct, whether prior or subsequent to the promulgation of these regulations, shall be admitted to examination for appointment in any capacity in any department of the municipal service within two years from the date of dismissal.

REINSTATEMENT.

REGULATION XLI.

Where the employment of a person in any grade of Schedule B is terminated because the work upon which he is engaged is suspended, he may be reappointed by the head of such department to the position in which he was so formerly employed, and if such person had been originally appointed from an eligible list then his name shall thereupon be replaced upon the eligible list from which he was appointed to the position thereon to which his original marking or rating entitled him, and be thereafter certified for appointment in all respects as if his name had been placed upon such eligible list on the date of such former termination of his employment.

EXAMINATIONS PENDING ON MAY 15, 1897.

REGULATION XLII.

The ratings in the examinations for the positions of assistant clerk in police courts, clerk, Grade B; clerk, Grade C; clerk, Grade D; carpenter, and inspector of masonry in viaducts and stone walls, said examinations having been held prior to May 15, 1897, under the regulations then in force, are to be divided by two, and the result of such division will be the ratings for merit for said examinations. The ratings for fitness in said examinations are to be determined as provided in Regulation XVI.

ASSIGNMENT OF POSITIONS TO SCHEDULE A.**REGULATION XLIII.**

All new or omitted positions shall be deemed to be in Schedule B, as provided in Regulation IV, unless the assignment of such positions to some other schedule be made by the Commission. To procure such an assignment to Schedule A or to Schedule D, application must be made to the Commission in writing by the appointing officer, before making any appointment, and the assignment shall be signed by the chairman and filed with the records of the Commission. Unless such application to the Commission be made by the appointing officer in advance of the appointment, there shall be no transfer to Schedule A or to Schedule D.

CHANGES IN THE SERVICE.**REGULATION XLIV.**

Every change in the service of the city of Brooklyn shall be reported in writing, within five days, to the Commission, by the appointing officer in whose department the change takes place.

REGULATION XLV.

All appointments and all changes in the civil service of the city of Brooklyn, made under these regulations, shall be published in circular form for distribution, and shall be furnished to the newspapers at least once in each week.

SPECIAL DUTY IN POLICE AND FIRE DEPARTMENTS.**REGULATION XLVI.**

Nothing herein contained shall prevent the commissioner of police from detailing members of the uniformed police force to such duties in his department as, in his opinion, they may advantageously perform; or the commissioner of the fire department from detailing members of the uniformed fire force to such duties in his department as, in his opinion, they may advantageously perform.

**PUBLICATION OF CIVIL LIST AND CERTIFICATION OF
PAY ROLLS.****REGULATION XLVII.**

It shall be the duty of the Commission, at the beginning of every calendar month, with the exception of July, August and September, to prepare and publish the civil list of the city of Brooklyn, corrected to the date of publication. The list shall contain the name of every person in the employ of the city of Brooklyn, or receiving compensation from the city on the date of publication, together with the title of his office, the salary or compensation thereto attached, the date from which his appointment takes effect, whether the office be elective or appointive, and, if appointive, then by whom the appointment is made, and the term, if any, of the office. The civil list shall be filed in the office of the Commission as one of its records.

The persons entered upon the civil list (whether on January 1 or during the year) shall be thereon classified as follows: First—Persons holding positions not within the operation of these regulations. Second—Persons holding positions in Schedule A. Third—Persons holding positions in Schedule B. Fourth—Persons holding positions in Schedule D. Fifth—Persons receiving compensation from the city, but subject to the Civil Service Regulations of the State.

No payment of salary or compensation shall be made to any person holding a position in either of the Schedules A, B and D, unless his name be upon the civil list, and unless the requisition or warrant for such payment show the schedule of such person appearing upon the civil list. This, however, shall not prevent the payment of laborers or day workmen not yet upon the civil list, whose pending employment has commenced not more than one month before the payment. It shall be the duty of the Civil Service Commission, or of its secretary under its direction, to examine and duly verify every pay-roll, for the purpose of enforcing the provisions of this regulation.

No payment shall be made by the city of any of its officers to a person holding a position subject to the Civil Service Regulations

of the State, and the laws in pursuance of which the same were made, until it appears that his appointment was made before such regulations took effect or has been made agreeably to the same.

Every appointment, as soon as proper notice of the same is received by the secretary of the Commission, shall be immediately entered on the civil list under the proper division. And every death, resignation, removal or promotion of any person, whose name is on the civil list, shall be noted thereon.

It shall be the duty of every officer of the city to render to the Commission every proper assistance in the preparation of the civil list.

REGISTRATION, CERTIFICATION AND APPOINTMENT OF PERSONS IN SCHEDULE D.

REGULATION XLVIII.

Appointments coming within Schedule D shall be made as follows: All persons applying for such appointment shall be registered or enrolled on eligible lists, to be made and kept by the Commission for that purpose. No person shall be so registered or enrolled unless he shall be found by the Commission to be physically qualified, and unless he shall make written application, in such form as the Commission shall determine, for such registration or enrollment, indorsed by two reputable citizens of Brooklyn. No person shall be so registered or enrolled who is not a resident of Brooklyn at the time of his application, unless the Commission shall determine that the good of the public service otherwise requires, and upon such determination at any time, and from time to time, persons who are not residents of Brooklyn may be registered and enrolled upon any list or lists designated by the Commission, and upon such conditions and terms as the Commission may prescribe. From and after the adoption of this regulation, no appointment to positions under Schedule D shall be made except from the said lists. Upon receiving a requisition from any head of department, the Commission shall certify from said lists, double the number of names called for, and the said officer shall select the number required from the number so certified and report to

the Commission the names selected. Any names not so selected shall remain upon said lists, and any names so selected shall, upon the termination of the employment, be restored to said lists, in the order in which they originally stood thereon, unless the head of the department shall certify in writing that such person is disqualified for cause stated. In making such certification the Commission shall certify in the order of registration or enrollment: First, veterans with families; second, other veterans; third, men with families; fourth, other men. The same name shall not be certified to the same official more than twice in any one calendar year, unless at the request of such official. In making said list the Commission shall subdivide them so that applicants for general or any particular kind of labor shall be registered or enrolled under separate subdivisions or lists, but no person shall be enrolled on more than two separate lists or subdivisions unless the Commission shall otherwise direct. Any head of department making a requisition shall state the particular kind of labor to be done and the names shall be certified in the order named above, from the subdivision covering such particular kind of labor. If there be no subdivision covering such particular kind of labor, or if the names in such subdivision be exhausted, the names shall, except as may be otherwise provided by the Commission, be so certified from the subdivision covering general labor, unless the head of department making a requisition shall designate some other subdivision, and there shall be names enough thereon to comply with the requisition, and in such case the certification shall be made from such subdivision.

All women applying for positions under Schedule D shall be registered and enrolled on a separate list; and upon a requisition of a head of department their names shall be certified, as in the case of men, in the order of enrollment: First, widows, with families; second, single women including widows without families; third, married women.

The lists above provided for shall remain in force for one year, but all persons thereon shall, upon making written application therefor, be placed on the list for the succeeding year in the order of their enrollment or registration on the previous lists.

The said Commission may, in its discretion, upon the request of any appointing officer, certify only such persons as are under or over an age to be specified by such officer in his requisition.

The said Commission may, if it deems it desirable at any time, provide for dividing the city into districts, and for making separate lists of laborers residing in each of such districts, and may also provide the manner in which requisitions for laborers may be made from the said lists. Said Commission may also at any time in its discretion, consolidate such lists, or any of them into one or more lists.

The said Commission may, from time to time, prescribe such rules as it may think desirable or convenient for carrying out the intention of this regulation, and may in its discretion provide for the temporary employment of persons not on a list, in case of the exhaustion of any list or lists, and for such other matters or things pertaining to the administration of this regulation as said Commission may from time to time find proper.

RULES OF THE CIVIL SERVICE COMMISSION.

Rule I—Meetings of the Commission shall be regularly held on the first Wednesday of every month, excepting July and August, at 5 p. m. Meetings shall also, upon the direction of the chairman, or of any other two members of the Commission, be called by the secretary, who shall, in writing, notify every Commissioner of every meeting and of every adjournment of a meeting.

When a majority of the Commission does not attend a meeting, a less number may adjourn the meeting, and may direct, meantime, the suspension of any act or proceeding of the Commission, or any of its committees, or of its chairman or secretary, to consider which the meeting was called.

Rule II—Each examination shall be conducted by a committee consisting of two members, to be designated by the Commission.

Rule III—The action of every committee shall be deemed to be the action of the Commission, and shall be reported to the Commission at the next regular meeting held thereafter. Upon

a written complaint by a person directly aggrieved, verified by his affidavit and filed with the secretary, as to the action of a committee, or upon a written motion therefor by a Commissioner, the Commission may reverse or modify such action.

Rule IV—No certificate of names upon an eligible list shall be sent to any officer or department for appointment therefrom, until two days after an eligible list is signed by the chairman and announced. If before the expiration of that time any written complaint by a person directly aggrieved, and verified by affidavit, be filed with the secretary concerning such eligible list, the secretary shall at once call a meeting of the Commission, to be held within three days, to consider and act upon the complaint; no certificate for appointment to be meantime issued.

Rule V—Except as hereinbefore provided, no certificate for appointment shall be suspended upon any complaint or motion, unless upon the direction of the chairman or of the Commission.

Rule VI—Any committee may, for expert assistance at any examination, incur an expense not exceeding \$25, in addition to the actual and necessary disbursements of the expert, without the special vote of the Commission. The chairman shall appoint an auditing committee, which shall consist of two members of the Commission, and said committee shall audit every charge for expenses incurred by the Commission, or for it by any committee.

Rule VII—No member of the Commission shall sign as voucher under the application of any person applying for a position under the Civil Service Regulations, and no person who has signed an application as voucher shall be eligible as expert at the examination of the applicant for whom he has thus vouched.

Rule VIII—These rules may be amended at any meeting of the Commission upon a previous notice in writing, filed with the secretary at least three days before the meeting; said notice to contain a copy of the proposed amendment. The secretary shall notify each Commissioner of such proposed amendment.

Rule IX—During the temporary absence from the city, or inability of the chairman of the Commission, the vice-chairman

shall act as chairman, or, in the absence of the chairman and vice-chairman, the Commission may appoint an acting-chairman to serve during such absence or inability.

Appendix A.

EXCEPTED POSITIONS.

The mayor.

The members of the board of aldermen.

The comptroller.

The auditor.

The city treasurer, *ex officio*.

The collector of taxes.

The registrar of arrears.

The counsel to the corporation.

The president of the board of assessment.

The assessors.

The commissioner of police.

The fire commissioner.

The commissioner of health.

The commissioner of buildings.

The commissioner of city works.

The commissioner of parks.

The commissioners of civil service.

The police justices.

The examining board of plumbers.

All officers, members and employes of or under the board of education and those who seek to enter the public service thereunder.

The members of the board of elections.

The city clerk.

The members of the Atlantic avenue improvement commission.

Appendix B.

POSITIONS IN SCHEDULE A.

Mayor's Office:

1 Private secretary.

Civil Service Commission:

1 Secretary.

Board of Aldermen:

- 1 Chief clerk.
- 7 Clerks to committees.
- 1 Messenger.
- 1 Assistant messenger.
- 1 Sergeant-at-arms.
- 1 Assistant sergeant-at-arms.
- 1 Clerk and city auctioneer.

Department of Finance:

- 1 Deputy comptroller.
- 1 Chief clerk of accounts.
- 1 Bond clerk.
- 1 Assistant bond clerk.
- 1 Chief clerk of arrears property.
- 1 Coupon clerk.
- 1 Assistant coupon clerk.
- 1 Superintendent at Wallabout docks.
- 1 Assistant clerk of accounts.
- 1 Chief clerk bureau of taxes and assessments.
- 1 Bookkeeper.
- 1 General warrant clerk.
- 12 Assistant warrant clerks.
- 1 Salary warrant clerk.
- 6 Dockmasters having custody of money.
- 3 Messengers.
- 1 Paymaster.
- 1 Assistant paymaster.
- 1 Clerk of docks.
- 1 Chief searcher.

Department of Audit:

- 2 Deputy auditors.
- 1 Chief clerk.
- 1 Inspector.

Department of Collection:

- 1 Deputy collector.
- 1 Chief clerk.

1 Cashier.

8 Temporary clerks (to serve during the press of business at the time for the receipt of taxes, and to be engaged chiefly in the receipt and handling of money).

Department of Arrears:

1 Deputy registrar.

1 Cashier.

1 Assistant cashier.

1 Keeper of supplies.

Department of Law:

1 First assistant corporation counsel.

8 Assistant corporation counsels.

1 Chief clerk.

6 Law clerks.

Department of Assessment:

1 Secretary.

1 Surveyor.

Department of Police:

1 Deputy commissioner.

1 Counsel.

1 Property clerk.

1 Superintendent.

1 Deputy superintendent.

4 Inspectors.

Police Courts:

In each court one chief clerk.

Department of Health:

1 Deputy.

1 Counsel.

1 Secretary.

1 Private secretary.

1 Chief, Bureau Bacteriology.

1 Chief, Bureau of Chemistry.

1 Chief, Bureau Sanitary Engineering.

1 Medical superintendent, Contagious Disease Hospital.

- 1 Superintendent of disinfection.
- 1 Superintendent shore inspection.
- 1 Finance clerk.
- 5 Drivers.

Experts and special inspectors appointed in emergencies
by the commissioner of health, in accordance with
Regulation IV.

Department of Fire:

- 1 Deputy commissioner.
- 1 Secretary.
- 1 Fire marshal.
- 1 Superintendent of repair shops.
- 1 Chief engineer.
- 2 Assistant chief engineers.
- 1 Superintendent Bureau of Combustibles.
- 5 License fee collectors.

Department of Buildings:

- 1 Deputy commissioner.
- 1 Assistant deputy commissioner.
- 1 Secretary.

Department of City Works:

Commissioner's office:

- 1 Deputy commissioner.
- 1 Pay-roll and disbursing clerk.
- 1 Secretary.
- 1 Chief accountant.
- 1 Clerk to commissioner.
- 1 Bookkeeper.

Engineer's Bureau:

- 1 Chief engineer.
- 1 Assistant engineer of sewer construction.
- 1 Engineer of street construction and maintenance.
- 1 Engineer of water supply.

Bureau of Extension and Distribution:

- 1 Water purveyor.
- 1 Deputy water purveyor.

- 1 Inspector of special connections.

- 1 Special inspector.

Bureau of Water Rates:

- 1 Registrar.

- 1 Chief clerk.

- 1 Cashier.

- 1 Assistant cashier.

- 1 Clerk.

- 4 Stamp clerks.

- 3 Temporary clerks (to serve during the press of business at the time for payment of water rates, and to be engaged chiefly in the receipt and handling of money).

Bureau of Sewers:

- 1 Superintendent.

- 1 Assistant superintendent.

Bureau of Streets:

- 1 Superintendent of streets.

Wallabout Market:

- 1 Collector.

Department of Parks:

- 1 Deputy commissioner.

- 1 Secretary.

- 1 Landscape architect.

- 1 Keeper of parade ground.

City Clerk's Office:

- 1 Deputy city clerk.

- 1 License clerk.

- 1 Assistant license clerk.

- 3 Bond and warrant clerks.

Board of Elections:

- 2 Chief clerks.

- 1 Assistant clerk.

City Hall:

- 1 Keeper.

- 1 Assistant keeper.

5 Sealers of weights and measures.

1 Coal inspector.

Brooklyn Disciplinary Training School for Boys:

1 Superintendent.

1 House mother.

1 Day caretaker.

Appendix C.

POSITIONS IN SCHEDULE D.

Department of City Works:

Curbsetters.

Cleaners, men.

Cleaners, women.

Hostlers.

Horses and carts, with drivers.

Horses and wagons, with drivers.

Laborers, ordinary.

Laborers, special.

Laborers, heavy work.

Pavers.

Rammers.

Scrubwomen.

Teamsters, single.

Teamsters, double.

Teams and trucks, with drivers.

Teams, with drivers.

Coalpassers.

Office boys.

Department of Parks:

Attendants.

Horses and carts, with drivers.

Laborers, ordinary.

Laborers, special.

Teams and trucks, with drivers.

Mowers.

Office boys.

Department of Health:

Cooks.
Laundresses.
Laborers, ordinary.
Laborers, special.
Nurses, men.
Nurses, women.
Waitresses.
Laundresses.
Office boys.
Matrons.
Wardmaids.
Scrubwomen.

Department of Police:

Laborers, ordinary.
Laborers, special.

Department of Fire:

Office boys.
Coalpassers.
Laborers, ordinary.
Laborers, special.
Cleaners, men.

Department of Law:

Office Boys:

County Court House:

Cleaners, men.
Cleaners, women.
Scrubwomen.

Hall of Records:

Cleaners, women.
Attendants, women.

Police Courts:

Janitresses.
Cleaners, women.

Public Baths:

Matrons.

Laborers, special.

Disciplinary Training School for Boys:

Laundresses.

Seamstresses.

Assistant Cooks.

Domestics to do general housework.

Department of Finance:

Laborers, special.

Department of Elections:

Cleaners, women.

Mayor's Office:

Office boys.

Civil Service Commission:

Office boys.

Appendix D.

CLASSIFICATION OF POSITIONS IN SCHEDULE B, FOR THE PURPOSES OF EXAMINATION.

Note.—Unless otherwise mentioned, the rate of compensation specified is the annual rate, or the limits of the annual rate, of compensation at the date of these regulations. If the compensation be at a daily rate or other rate than an annual rate, or if the employment be for less than a year, then the rate or limit of rates given is the compensation which would be paid for a year, if the employe were employed for the entire year at the same daily or other rate.

CLASS 1. CLERICAL, BOOKKEEPING AND LIKE POSITIONS.

Sub Grade A.—All clerks, book-keepers and like employes in all departments (not in this appendix elsewhere classified), whose compensation is \$750 or less.

Grade A.—All clerks, book-keepers and like employes in all departments (not in this appendix elsewhere classified), whose compensation is \$1,000 or less.

Grade B.—All clerks, bookkeepers and like employes in all departments (not in this appendix elsewhere classified), whose compensation is more than \$1,000, but not exceeding \$1,250.

Grade C.—All clerks, bookkeepers and like employes in all departments (not in this appendix elsewhere classified), whose compensation is more than \$1,250, but not exceeding \$1,500.

Grade D.—All clerks, bookkeepers and like employes in all departments (not in this appendix elsewhere classified), whose compensation is more than \$1,500, but not exceeding \$1,750.

Grade E.—All clerks, bookkeepers and like employes in all departments (not in this appendix elsewhere classified), whose compensation is more than \$1,750, but not exceeding \$2,000.

Grade F.—All clerks, bookkeepers and like employes in all departments (not in this appendix elsewhere classified), whose compensation is more than \$2,000.

CLASS 2. DOCKMASTERS.

Grade A.—Dockmasters not having the custody of money, \$1,000 or less.

Grade B.—Dockmasters not having the custody of money, more than \$1,000.

CLASS 3. LAW CLERKS.

Grade A.—Law clerks, \$1,200 or less.

Grade B.—Law clerks, \$1,200 to \$1,500.

Grade C.—Law clerks, \$1,500 or more.

CLASS 4. STENOGRAPHERS AND TYPEWRITERS.

Grade A.—Stenographers, \$800 or more.

CLASS 5. SEARCHERS.

Grade A.—Searchers, \$500 or less.

Grade B.—Searchers, \$500 or more.

CLASS 6. INTERPRETERS.

Grade A.—Interpreters, \$500 or more.

CLASS 7. MESSENGERS.

Grade A.—Messengers, \$500 or less.

Grade B.—Messengers, \$500 to \$1,000.

Grade C.—Messengers, over \$1,000.

CLASS 8. FIRST. UNIFORMED POLICE FORCE.

Grade A.—Patrolmen, \$800 to \$1,100.

Grade B.—Roundsmen, \$1,200.

Grade C.—Sergeants, \$1,750.

Grade D.—Captains, \$2,700.

CLASS 8. SECOND.

Doormen in Uniformed Police Force, \$950.

CLASS 8. THIRD.

Bridgekeepers in the Police Department, \$900.

CLASS 9. UNIFORMED FIRE FORCE.

Grade A.—Firemen, \$800 to \$1,050.

Grade B.—Engineers, 1st grade, \$1,100; 2d grade, \$900; and drivers, \$1,000.

Grade C.—Foremen, \$1,700.

Grade D.—District Engineers, \$2,500.

CLASS 10. SURGEONS.

Grade A.—All surgeons, department of police, \$1,500.

Grade B.—All surgeons, fire department, \$2,000.

CLASS 11. SPECIAL VACCINATORS.

Grade A.—All special vaccinators, department of health, \$900 or less.

Grade B.—All special vaccinators, department of health, \$900 to \$1,000.

CLASS 12. SANITARY INSPECTORS.

Grade A.—Nuisance inspectors, milk inspectors, dairy inspectors, food inspectors, vinegar inspectors, department of health, \$900 to \$1,250.

Grade B.—Assistant sanitary inspectors, department of health, \$1,000 or less.

Grade C.—Sanitary inspectors, department of health, \$1,350 or less.

Grade D.—Assistant sanitary inspectors, department of health, \$1,000 to \$1,250.

Grade E.—Sanitary inspectors, department of health, \$1,350 to \$1,500.

CLASS 13. CHEMISTS.

Grade A.—Chemists and assistant chemists, department of health, \$900 or less.

Grade B.—Chemists, department of health, \$900 to \$2,000.

CLASS 14. VETERINARY SURGEONS.

Grade A.—Veterinary surgeons, fire department, \$2,500 or less.

CLASS 15. VETERINARY INSPECTORS.

Grade A.—Veterinary inspector, department of health, \$900 or more.

CLASS 16. MEAT INSPECTORS.

Grade A.—Meat inspectors, department of health, \$1,000 or less.

CLASS 17. DRAUGHTSMEN.

Grade Sub-A.—Assistant draughtsmen, \$1,000 or less.

Grade A.—Draughtsmen, \$1,000 or more.

Grade B.—Architects and draughtsmen \$1,500 or more.

CLASS 18. RODMEN, CHAINMEN, TRANSITMEN, LEVELERS AND ASSISTANT CIVIL ENGINEERS.

Grade A.—Rodmen and chainmen, \$1,000 or less.

Grade B.—Transitmen and levelers, department city works, \$1,200 or less.

Grade C.—Assistant civil engineers, \$1,500 or less.

Grade D.—Assistant civil engineers, above \$1,500.

CLASS 19. INSPECTORS OF WALLABOUT MARKET.

Grade A.—Inspectors of Wallabout Market, \$1,100 or less.

CLASS 20. INSPECTORS OF GENERAL CONSTRUCTION IN THE DEPARTMENT OF CITY WORKS.

Grade A.—Inspectors of general construction, \$1,300 or less.

CLASS 21. INSPECTORS AND SURVEYORS OF SEWER CONSTRUCTION.

Grade A.—Inspectors and surveyors of sewer construction \$1,300 or less.

Grade B.—Inspectors and surveyors of sewer construction \$1,300 or more.

CLASS 22. INSPECTORS IN THE WATER RATES BUREAU.

Grade A.—Inspectors in the water rates bureau, including detectives and resurvey inspectors, \$1,050 and less.

Grade B.—Inspectors in the water rates bureau, including detectives and resurvey inspectors, \$1,100 or more.

CLASS 23. INSPECTORS OF CONNECTIONS.

Grade A.—Inspectors of sewer connections and water connections, \$900 or less.

Grade B.—Inspectors of sewer connections and water connections, \$900 or more.

CLASS 24. INSPECTORS OF PLUMBING.

Grade A.—Inspectors of plumbing, \$1,200 or less.

Grade B.—Inspectors of plumbing, \$1,200 or more.

CLASS 25. INSPECTORS OF BUILDINGS.

Grade A.—Inspectors of buildings, department of buildings, \$1,200.

Grade B.—Inspectors of buildings, department of buildings, \$1,500 or more.

CLASS 26. FOUNDRY INSPECTORS, AND KEEPERS OF PIPE-YARDS.

Grade A.—Keepers of pipe yards in the department of city works and foundry inspectors in said department, \$900 or less.

Grade B.—Keepers of pipe yards in the department of city works and foundry inspectors in said department, \$900 or more.

CLASS 27. INSPECTORS OF GARBAGE AND STREET OBSTRUCTIONS.

Grade A.—Inspectors of garbage, bureau of streets, department city works; inspectors of erection of telegraph poles and inspectors of street cleaning, \$1,200 or less.

CLASS 28. INSPECTORS OF LAMPS.

Grade A.—Inspectors of lamps, \$1,000 and less.

Grade B.—Inspectors of lamps, \$1,000 or more.

CLASS 29. INSPECTORS OF COAL.

Grade A.—Inspectors of coal, \$1,200 or less.

CLASS 30. GENERAL INSPECTORS OF REPAIRS TO BATHS.

Grade A.—General inspectors of repairing and painting public baths, \$900 or more.

CLASS 31. FOREMEN AND SUPERINTENDENTS OF REPAIRS.

Grade A.—Foremen on street repairs, foremen on repairs to pond banks, foremen in charge of laborers, keepers of streams and ponds, stream cleaners, assistant keepers of reservoir, foreman of conduit gangs, \$1,000 or less.

Grade B.—Same positions as stated in above Grade A of this class, \$1,000 or more.

CLASS 32. OILERS AND BOILER ENGINEERS.

Grade A.—Engineers and oilers, over \$750 but less than \$1,000.

Grade B.—Boiler engineers, \$1,100 or less.

Grade C.—Boiler engineers, \$1,100 to \$1,400.

Grade D.—Boiler engineers, \$1,400 to \$1,800.

Grade E.—Chief boiler engineers in charge of pumping station engines, \$1,800 or more.

CLASS 33. MACHINISTS.

Grade A.—Machinists, \$500 or more.

CLASS 34. CARPENTERS AND MASONS.

Grade A.—Carpenters and masons, \$900 or more.

CLASS 35. WHEELWRIGHTS.

Grade A.—Wheelwrights, \$900 or more.

CLASS 36. TINSMITHS.

Grade A.—Tinsmiths, \$900 or more.

CLASS 37. BLACKSMITHS.

Grade A.—Blacksmiths' helpers, \$600 and less.

Grade B.—Blacksmiths, over \$750 but less than \$1,000.

Grade C.—Blacksmiths, \$1,000 or over.

CLASS 38. KEEPERS AND WATCHMEN.

Grade A.—Watchmen, \$600 and less.

Grade B.—Watchmen, over \$600 but under \$800.

Grade C.—Watchmen, \$800 or more.

CLASS 39. BOILER FIREMEN.

Grade A.—Boiler firemen, \$1,000 or less.

CLASS 40. BATH KEEPERS.

Grade A.—Keepers, \$1,000 or less.

CLASS 41. PARK POLICE.

Grade A.—Policemen.

Grade B.—Station officers.

Grade C.—Sergeants

Grade D.—Captains.

ALBANY, N. Y., *July 1, 1897.*

The foregoing Civil Service Rules and Regulations for the city of Brooklyn, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

[L. s.]

CLARENCE B. ANGLE,

Secretary.

Rules for the Civil Service of the City of Elmira.

We, Frank P. Robinson, W. A. Jewett and Robert J. Round, the Civil Service Commissioners of the city of Elmira, N. Y., do hereby establish the following as the rules and regulations to carry into effect in said city chapter 428 of the Laws of 1897.

**FRANK P. ROBINSON,
W. A. JEWETT,
R. J. ROUND.**

Dated *October 11, 1897*, at **ELMIRA, N. Y.**

RULE I.—DIVISIONS OF THE CIVIL SERVICE.

1. The Civil Service of the city shall be divided into the unclassified service and the classified service.

2. The unclassified service shall comprise all elective positions; all positions filled by election or appointment by the common council; all clerks of officers or boards holding elective positions or positions filled by election or appointment of the common council; all persons appointed by name in a statute; all persons appointed by the mayor, either with or without the confirmation of the common council; the cemetery superintendent; health officer and inspectors under the supervision and control of the board of health; clerk of the board of health; city engineer and surveyor; superintendent of public works; chief of police; police matron; chief engineer of the fire department; superintendent of public schools; secretary of the board of education; secretary of the board of health; all persons employed or who seek to enter the public service under the educational department of the city; the general foreman of streets, and all persons employed as laborers or day workmen, including all janitors of the public schools.

3. The classified service shall comprise all positions not included in the unclassified service.

RULE II.—GENERAL PROVISIONS.

1. No information concerning the political or religious opinions or affiliations of any applicant or any person eligible for appointment shall be sought by the Civil Service Commissioners or the appointing person or body, and no discrimination by either said Commissioners or the appointing body shall be exercised, threatened or promised against or in favor of any applicant or eligible person because of his political or religious opinions or affiliations.

2. No person in the Civil Service of the city shall use his official influence to coerce the political action of any person or body, or shall dismiss or cause to be dismissed or make any attempt to procure the dismissal of, or in any manner change the official rank or compensation of any person of the classified division of the Civil Service because of his political or religious opinions or affiliations. No person in the Civil Service of the city shall directly or indirectly use his authority or official influence to compel any other person in such service to pay or promise to pay any political assessment.

RULE III.—APPOINTMENTS TO CLASSIFIED SERVICE.

1. No person shall be appointed to or employed in any position in the classified service until he shall have passed the examinations for merit and fitness, unless the position to which he is appointed is especially exempted by these rules and regulations or statute; and except also that promotions may be made as hereinafter provided.

2. All examinations shall be practical in their character, and shall relate to those matters which shall fairly test the intelligence, competency, suitability and character of the applicants to discharge the duties of that service for which they seek to be appointed.

3. Applications for examination for merit must be addressed to the Secretary of the Civil Service Commissioners, City Hall, Elmira, N. Y., and the applicant must state therein, on oath, and in his own handwriting—(a) his full name, residence, giving street and street number; (b) his term of residence in the city; (c) his

citizenship; (d) his date of birth and place of birth; (e) his previous employment in the public service, if any; (f) his business or employment for the last preceding five years; (g) the extent, place and nature of his education; (h) if in the military or naval service of the United States in the late war the name of the organization or vessel to which attached, date of enlistment or commission, position or rank, date and cause of discharge from the service, and any physical disability incurred in such service. The application must be accompanied by the certificate of not less than three nor more than five citizens of the city that they have been personally acquainted with the applicant for at least one year, and believe him to be of good moral character, of temperate and industrious habits, and in all respects fit for the service which he wishes to enter, and that they are willing that such certificate shall be published for public information.

The applicant must also state the position he seeks.

Defective applications will be suspended and applicants notified to amend the same, but no such notice will be given or opportunity granted the second time.

4. The minimum percentage of rating necessary to entitle an applicant to a place upon the list of persons eligible for merit shall be thirty-five. The names of persons who have passed above such minimum percentage will be entered on the list in the order of their rating. Such eligibility shall continue for one year.

5. Upon the application in writing of any person or body having the appointing power, the Civil Service Commissioners will certify to such person or body a list containing the names and the rating of all the applicants for the office or offices to be filled, upon the merit list therefor. The Civil Service Commissioners will also, upon the written request of the person or body having the appointing power, furnish him or it with the applications and examination papers of all persons so certified or any thereof. All papers furnished upon such requisition must be returned to the secretary of the Commissioners.

6. The secretary of the Civil Service Commissioners will duly notify all applicants of examinations for merit at which they are to appear.

7. The appointing person or body shall cause a competitive examination for fitness of the persons named upon such list, to be held, and shall give notice to such persons to appear at a specified time and place for the purpose of being examined by him or it in relation to their fitness for the position named and to be filled. The minimum rating for fitness shall be 35 per cent. and no person whose rating is lower than such minimum shall be eligible for appointment.

8. The rating for fitness shall be added to the rating for merit of each applicant. The result so obtained constitutes the eligible list for appointment, and appointments must be made therefrom in the order of the combined rating of each applicant.

9. Whenever there are urgent reasons for making an appointment, and there is no merit list from which an eligible list for appointments may be made, the appointing person or body may make such appointment temporarily until a selection and appointment can be made from an eligible list for appointment.

10. There shall be no permanent list for appointment. Examinations for fitness shall be made immediately prior to appointments.

RULE IV.—FALSE STATEMENTS.

1. Every false statement knowingly made by any person in his application for examination, and every connivance by him at any false statements made in any certificate which may accompany his application, or any wilful complicity by him in any fraud to improve upon his examinations shall be regarded as good cause for removal or discharge of such person from his office.

RULE V.—PROMOTIONS.

1. Promotion shall in all cases be based upon the positive merits and fitness of the person promoted, and upon his superior qualifications as shown by his previous service. Whenever the appointing person or body deems it practicable, it shall be made only after a competitive examination for fitness.

RULE VI.—RE-EXAMINATION.

1. No person who has failed in any examination for merit shall be admitted within one year from the date thereof to a new examination for the same position.

RULE VII.—FAILURE TO ACCEPT APPOINTMENT.

1. If an applicant fails to accept an appointment, he shall be deemed to have waived his right to appointment, and his name shall be stricken from the list of eligibles for appointment.

RULE VIII.—TERM OF PROBATION.

1. Every original appointment or employment shall be for a probationary term of three months, and the appointing person or body in notifying a person selected for appointment shall specify the same as for a probationary term only; and at the end of such term, if the conduct, capacity and fitness of the probationer are satisfactory to the appointing officer or body, his retention in the service shall be equivalent to his absolute appointment; but if his conduct, capacity or fitness be not satisfactory, he may be discharged at any time.

RULE IX.—EFFECT OF DISMISSAL FROM SERVICE.

1. No one dismissed from the service for misconduct shall be admitted to examination for merit in any capacity within two years from the date of such dismissal.

RULE X.—VETERANS.

1. Veterans are entitled to the preference given by the Constitution and statutes of the State.

RULE XI.—APPLICATION OF RULES.

1. These rules and regulations apply only to the classified service. The power to remove as it exists by law on the part of any officer or board, is not impaired by anything contained in these regulations. All persons holding positions in the civil service at this date, in the classified service, shall be entitled to all the rights and benefits possessed by persons appointed in such service upon examination under the provisions of these rules.

ALBANY, N. Y., *November 11, 1897.*

The foregoing regulations for the city of Elmira having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

[L. S.]

CLARENCE B. ANGLE,

Secretary.

Regulations for the Civil Service of the City of Poughkeepsie.

DEFINITION OF THE CIVIL SERVICE AND ITS DIVISIONS.

REGULATION I.

(1) These regulations shall apply to all positions in the public service of the city of Poughkeepsie, with the following exceptions, required by the statutes, namely: All elective officers and the subordinates of any such officer, for whose errors or violations of duty said officer is financially responsible, and the heads of every department of the city government, and persons employed in, or who seek to enter, the public service under the educational department of the city, and all subordinate officers who, by virtue of their office, have personal custody of public moneys or public securities, for the safe keeping of which the head of the office is under official bonds.

(2) The civil service of the city of Poughkeepsie shall be divided into the unclassified service and the classified service.

(3) The unclassified service shall comprise all elective positions, all officers appointed by the mayor and the chief of police.

(4) The classified service shall comprise all clerks, copyists, bookkeepers and others rendering clerical services and not included in the unclassified service, all police officers, superintendent of the poor, superintendent of water works and the clerks, engineers, firemen and other persons appointed by the board of public works, except the superintendent of streets, and all other persons employed in the public service of said city, or appointed by any board or officer, and not included in Regulation I, and in the unclassified service.

GENERAL PROVISIONS.

REGULATION II.

(1) The violation of any of the provisions of the civil service acts, or of these rules, by any person in the civil service of the

city of Poughkeepsie, N. Y., shall be considered a good cause for the dismissal of such person from the service.

(2) No person in the civil service of the city of Poughkeepsie, N. Y., shall use his official authority or influence to coerce the political action of any person or body, or shall dismiss or cause to be dismissed, or make any attempt to procure the dismissal of, or in any manner change the official rank or compensation of, any person in such service because of his political or religious opinion or affiliations.

(3) No question in any examination, or form of application or other proceedings by or under the Commission, or its examiners, shall be so framed as to elicit information concerning, nor any other attempt be made to ascertain, the political or religious opinions or affiliations of any applicant, competitor or eligible, and all disclosures thereof shall be discountenanced by the Commission and its examiners. And no discrimination shall be exercised, threatened or promised against or in favor of any applicant, competitor or eligible because of his political or religious opinions or affiliations.

(4) No recommendation of an applicant, competitor or eligible involving any disclosure of his political opinions or affiliations shall be received, filed and considered by the Commission, by an examining board, or by any nominating or appointing officer.

(5) No person in the civil service of the city of Poughkeepsie, N. Y., shall be obliged to contribute to any political fund or to render any political service; nor shall any such person, directly or indirectly, use his authority or official influence to compel or induce any other person in such service to pay or promise to pay any political assessment.

(6) In making removals or reductions, or in imposing penalties for delinquency or misconduct, penalties like in character shall be imposed for like offenses, and action thereon shall be taken irrespective of the political or religious opinions or affiliations of the offenders.

(7) A person holding a position on the date said position is classified under the rules, whose appointment was made in con-

formity with the law and who had been rendering the proper duties of such position, shall be entitled to all the rights and benefits possessed by persons of the same class appointed upon examination under the provisions of said rules.

(8) The Commission shall have authority to prescribe such regulations in pursuance of and for the execution of the provisions of these rules and of the civil service act, as may not be inconsistent therewith, and may prescribe blank forms for all applications, certificates, reports, records and returns required under these rules and the regulations made in pursuance thereof.

APPOINTMENTS TO AND EMPLOYMENT IN THE CLASSIFIED SERVICE.

REGULATION III.

(1) In pursuance of the provisions of article V, section 9 of the Constitution and of the civil service acts, there shall be provided, to ascertain merit for admission to the classified service, examinations to be made under the general direction of the Commission.

(2) No person shall be appointed to, or employed in, any position in the classified service until he shall have passed the examinations for merit and fitness as provided therefor, or unless the position to which he is appointed is especially exempt from examination under the provisions of these rules.

APPOINTMENT TO POSITIONS.

REGULATION IV.

(1) Appointments may be made to unclassified positions without examination. Upon formal notice to the Commission of such appointments by the head of an office, certification of the same will be made to the Comptroller or other fiscal officer otherwise authorized to pay a salary to the incumbent of the position to which such appointment is made.

(2) Appointments shall be made to, or employment shall be given in, all classified positions that are not filled by promotion, reinstatement, transfer or reduction under these rules, by selec-

tion from those graded highest, according to their standing, as the result of open, competitive examinations, except as herein otherwise provided.

(3) Whenever a position in the classified civil service is to be filled by appointment after a competitive examination, an examination for fitness by or under the direction of the appointing officer may be held at any time for the subdivision in which the position is classified under the rules or regulations of the Commission. Upon notice by such officer that an examination for fitness is desired, the Commission shall immediately transmit to him the names of all persons then on the list of those eligible for merit in such subdivision. Immediately upon receipt of such a list, the appointing officer shall cause a competitive examination of such persons to be held, and, unless the examination is by the Commission, shall give notice to such persons to appear at a specified time and place for the purpose of being examined in relation to their fitness for the position named in such subdivision. The Commission, upon request of the appointing officer, will conduct and certify such examination for fitness and prepare the eligible list. The maximum rating for fitness shall be fifty, and the minimum thirty-five. The rating of merit shall be added to the rating of fitness of each candidate. The result so obtained constitutes the eligible list for the particular subdivision, and appointments must be made therefrom in the order of the combined rating of each candidate. The person, officer or board conducting the examination shall, upon completing the eligible list, certify it to the Commission. If the examination for fitness is conducted by the Commission, the eligible list prepared as the result of such examination shall be filed in its office, and within five days thereafter a certified copy thereof shall be delivered to the appointing officer who requested such examination. Such an eligible list shall continue for one year from the date of the filing of the merit list by the Commission as the eligible list from which appointments shall be made by such appointing officer from that subdivision, unless a new eligible list is prepared as herein provided; but the appointing officer may at any time

hold or require other competitive examinations for fitness of the persons then remaining upon such eligible list, in the same manner and with like effect. Unless the examination for fitness is conducted by the Commission, the appointing officer shall certify to the Commission that the ratings for fitness were determined by competitive examination as provided by law.

Whenever the sex of the person whose names are to be certified is fixed by any law, rule or regulation, or is specified in the request for certification, the names only of those of the sex so fixed or specified shall be certified from the merit list, but in other cases such certification shall be made of all persons, without regard to sex.

(4) In the selection, nomination, appointment or promotion of persons to fill positions in the classified service, no regard shall be paid to the partisan political opinions, affiliations or action of any person so selected, nominated, appointed or promoted.

(5) Whenever there are urgent reasons for filling a vacancy in any office, and there is no merit list from which an eligible list may be made, or in case all persons whose names are on such eligible list shall decline the appointment, the head of the office may nominate a person to the Commission for non-competitive examination, and if such nominee shall be certified by the Commission as qualified by merit, he may be appointed temporarily to fill such vacancy until a selection and appointment can be made from the proper eligible list; and if the head of the office, upon the notification that such a merit list is on file with the Commission, shall omit, within thirty days after such notice, to make an eligible list and an appointment therefrom, the position shall be considered vacant.

(6) If a person who is not entitled to certification is certified and appointed, his appointment shall be immediately revoked by the appointing officer upon notification by the Commission.

(7) An examination for merit will be held by the Commission when required, and a new merit list will thereupon be made, containing the names of all persons appearing upon a former merit list who have notified the Commission of their desire to be con-

tinued upon such list, as provided by paragraph 3, Regulation VII, and also the names of such persons as shall have passed such new examination.

APPLICATIONS.

REGULATION V.

(1) No person shall be admitted to any examination for merit for a classified position until he shall have filed an application under oath, upon a form prescribed by the Commission, and accompanied by such certificate as may be prescribed.

(2) Every applicant for examination must be a citizen of the United States and an actual resident of the State of New York at the time of his application.

(3) No application for examination shall be accepted unless the applicant is within the age limitations fixed by the Commission for entrance to the position to which he seeks to be appointed.

(4) Whenever the application shows that the applicant is not within the prescribed limits of age, or is otherwise not qualified under the rules and regulations, the application shall be rejected. The Commission may, in its discretion, refuse to examine an applicant, or to certify an eligible, who is physically so disabled as to be rendered unfit for his performance of the duties of the position to which he seeks appointment; or who is addicted to the habitual use of intoxicating beverages to excess, or who has been guilty of a crime or of infamous or notoriously disgraceful conduct; or who has been dismissed from the service for delinquency or misconduct within one year next preceding the date of his application; or who has intentionally made a false statement in any material fact, or practiced, or attempted to practice, any deception or fraud in his examination or in securing his eligibility or appointment. Any of the foregoing disqualifications shall be good cause for the removal of an eligible from the service after his appointment.

(5) In application for examination for positions requiring scientific, professional or technical qualifications, the Commission may require evidence of special education for, or of practical experience for a satisfactory term in such science, profession, art or

trade; and shall require the production of such certificates of competency and licenses as are provided by the statutes of this State as necessary to enable the practice of any profession, art or trade.

EXAMINATIONS FOR MERIT.

REGULATION VI.

(1) All examinations by the Commission shall be of a suitable and practical character, involving such subjects as will fairly test the general qualifications of the applicant for the position for which he is examined, and may also include oral examinations or special tests for any particular position requiring any scientific, professional or technical knowledge or manual skill.

(2) Whenever physical qualifications are of prime importance in the proper discharge of duties in any position, applicants must pass a physical examination and be certified as qualified in such respect, either before admission to examination, or before record in the proper merit list, or before certification for appointment, as the Commission may determine.

(3) No person who has failed in any examination for a position in the classified service shall be admitted within one year from the date thereof to a new examination for the same position.

(4) Examination papers shall be rated on a scale of fifty, and the subjects therein shall be given such relative weights as the Commission may prescribe. After a competitor's papers have been rated he shall be duly notified of the results thereof.

MERIT LISTS.

REGULATION VII.

(1) Every competitor who attains an average rating of thirty-five or over on all the obligatory subjects in any examination for merit shall be eligible for examination for fitness for appointment to the position for which he was examined; and the names of eligibles shall be entered in the order of their average ratings on the proper merit list; provided that the names of the competitors

who have passed as above, and whose claims for preference under section 9 of article V of the Constitution have been allowed by the Commission, shall be placed in the order of their respective average ratings at the head of the proper merit list.

(2) When two or more persons on a merit list have the same average rating, precedence on such list shall be determined by the order in which their applications were filed, but neither priority in the date of the application nor of examination will give any other advantage in position on such list.

(3) Within five days after the filing of a merit list the Commission will notify each candidate whose name appears thereon of the date of such filing and the order of his standing on such list, and with such notice shall be served a copy of this rule. The deposit of such notice in the post-office at Poughkeepsie, N. Y., properly addressed, with the postage paid, shall be deemed a sufficient service thereof. Each person whose name appears upon such merit list must notify the Commission, at least once every three months, computing from the date of filing the list, that he is willing to accept an appointment, if tendered to him, and desires to have his name continued on such list. If such a notice is not received by the Commission, the name of the candidate shall thereupon be stricken from the list.

If a candidate whose name has been entered upon an eligible list declines or fails to accept an offer of appointment from any officer authorized to appoint from such list, he shall be deemed to have waived his right to appointment and his name shall be stricken from the list.

TERM OF PROBATION.

REGULATION VIII.

(1) Every original appointment to or employment in any position in the classified service shall be for a probationary term of three months, and an appointing or nominating officer in notifying a person selected by him for appointment or employment shall specify the same as for a probationary term only, and at the end

of such term, if the conduct, capacity and fitness of the probationer are satisfactory to the appointing officer, his retention in the service shall be equivalent to his absolute appointment, but if his conduct, capacity or fitness be not satisfactory, he may be discharged at any time.

(2) Every officer under whom any probationer shall serve during any part of his probation shall carefully observe the quality and value of the services rendered by such probationer and his conduct, and, if so required, shall report in writing to the proper appointing officer the facts observed by him, showing the character and qualifications of such probationer, and of the services rendered by him, and such reports shall be preserved on file.

TEMPORARY APPOINTMENTS.

REGULATION IX.

(1) No temporary appointment or employment in the classified service shall be made or given except under the provisions of the fifth section of Regulation IV, as herein provided. Every officer having the power of such employment shall, previous to making the same, certify to the Commission that the services to be rendered are of a temporary character and shall give the duration and character of the service to be rendered and the rate of compensation to be paid therefor. When the duration of services is certified not to exceed one month and the need of such service to be immediate and urgent, the appointing officer may select for such temporary service any person on the proper register of those eligible for permanent appointment; subject, however, to the provisions of law giving preference in appointment to certain persons.

(2) The acceptance by an eligible of a temporary appointment shall not affect his standing on the eligible list for a permanent employment, nor shall the period of temporary service be counted as part of the probationary service in case of subsequent appointment to a temporary position.

SHORT TERM POSITIONS.**REGULATION X.**

(1) All positions in the classified service where the nature of service is such that it is not continuous through the year, but recurs in each successive calendar year, shall be designated as short term positions and shall be subject to the provisions of these rules as applicable generally to positions in the classified service, except as herein otherwise provided.

(2) Any person originally appointed to or employed in a short term position under the provisions of these rules, and who has been temporarily separated from the service by the expiration thereof in any year shall be entitled to reappointment to, or re-employment in, the same position in the next ensuing year, upon filing in the office of the Commission in such form as it may prescribe, a request for such reappointment or re-employment within six weeks previous to, and at least thirty days before, the date of resumption of such short term service. The Commission shall certify to the proper appointing or employing officer the names and post-office addresses of the persons who have made such formal requests and they shall be reinstated in the positions vacated by them in the previous year in the order of the date of their original appointment or latest promotion in the several grades; provided, that in the meantime they are not disqualified from any of the causes recited in the fourth section of Regulation V.

PROMOTIONS.**REGULATION XI.**

(1) Promotion shall in all cases be based upon the positive merits and fitness of the person promoted, and upon his superior qualifications as shown by his previous service, due weight being given to seniority.

(2) Whenever the head of an office shall deem a written competitive examination to be practicable as a factor in ascertaining the relative merit of those persons otherwise qualified for promotion to a vacancy in his office, the Commission, on his formal application, may hold such examination and certify the results to the head of the office for his information.

(3) Promotions shall be made by regular and successive grades, but if there is no person fit for promotion in the next inferior grade, the selection shall be made from the second inferior grade, and if none there be found fit, then from the third inferior grade, and so on until a suitable person has been found in such grade or grades; or, if there be none found in such inferior grades, the vacancy shall be filled by appointment under these rules from the proper eligible list of those qualified for appointment to positions in the subdivision of the group wherein the position to be filled is classified.

(4) No promotion can be made from a position in one class or group to a position in another class or group, unless the same be specially authorized by the Commission, but a person employed in any grade shall not, because of his employment, be barred from the open, competitive examination provided for original entrance to any other grade.

CERTIFICATES FOR PROMOTION, TRANSFER AND RE-INSTATEMENT.

REGULATION XII.

(1) Upon the written request of an appointing officer, stating the essential facts in regard to any proposed promotion, transfer or reinstatement, the Commission will, if such promotion, transfer or reinstatement be in accordance with law and the provisions of these rules, issue its certificate of that fact to such officer.

(2) All promotions, transfers and reinstatements herein authorized shall be made only after the issuance of such certificate, except those which may be specially exempted from such condition by regulation of the Commission.

REPORTS OF APPOINTING OFFICERS.

REGULATION XIII.

(1) For the purpose of certification of the comptroller, or other fiscal officer, for the payment of salaries as required by law, and in order that the Commission may keep proper record of the service and of changes in it, each appointing and employing officer,

from time to time, after the date of the promulgation of these rules, and upon the date of the official action in or knowledge of each case, shall report to the Commission, as required by law, and in such form and manner as it may prescribe, as follows:

(a) Every original appointment or employment, whether probational, temporary or otherwise, with the date of commencement of service and the compensation of the position;

(b) Every failure to accept an appointment under him by a person who has been duly certified, with the reason, if any, given therefor;

(c) Every discharge at the end of probationary term, with the date thereof;

(d) Every vacancy in a position, whether caused by dismissal, resignation or death, with the date thereof;

(e) Every new position, with the duties of the same, as defined in Regulation I, paragraph 4, and the compensation thereof:

(f) Every position abolished, with date of such abolition;

(g) Every change of compensation in a position, with the date thereof;

(h) Every change in the duties of a position that may require its reclassification, with the date thereof;

(i) Every promotion, giving the position from which and to which made, with the date thereof;

(j) Every transfer, giving the positions from which and to which made, with the date thereof;

(k) Every reinstatement in a position, with the date thereof.

CERTIFICATIONS TO FISCAL OFFICERS.

REGULATION XIV.

(1) The Commission shall keep in its office an official roster of the classified Civil Service of the city of Poughkeepsie, N. Y., and shall enter thereon the name of each and every person who has been appointed to, employed, promoted or reinstated in any position in such service upon such evidence as it may require or deem satisfactory, that such person was appointed to, or employed, promoted or reinstated in the service in conformity with

the provisions of law and of these rules; the official roster shall show opposite, or in connection with each name, the date of appointment, employment, promotion or reinstatement, the class, group, subdivision and grade of, and the office in which, and the compensation of the position, date of commencement of service, and the date of transfer in or separation from the service by dismissal, registration, cancellation of appointment, or death.

(2) Whenever the name of a person appointed to or employed, promoted, transferred or reinstated in any position in the classified service, is entered upon the official roster, as provided above, the Commission shall certify to the officer duly authorized to pay or draw a warrant for the payment of the salary of such position, the name, position, office, compensation and date of commencement of service of the person so appointed, employed, promoted, transferred or reinstated; and in like manner shall certify to the officials aforesaid any separation of a person from the service, or other change therein, and the name of any person appointed or employed in the civil service of the city of Poughkeepsie, N. Y., in violation of law or of the rules and regulations made in pursuance to law.

(3) Upon satisfactory evidence that, with intent to evade the provisions of law and of these rules, any person appointed to or employed in any position in the classified service has been assigned to perform duties other than those for which he was examined and certified, the Commission shall cancel its certificates of such person by formal notice to the fiscal and appointing officers, and the appointment or employment of such person shall be void on and after five days from the date of such notice.

POWER OF APPOINTMENT AND REMOVAL.

REGULATION XV.

Subject only to the qualifications required to be ascertained in accordance with these rules, the power of appointment and the responsibility of selection are in all cases in the appointing office. The power to remove (existing by law) on the part of any officer is not impaired by anything contained in these rules,

CITY OF POUGHKEEPSIE,
OFFICE OF THE MUNICIPAL CIVIL SERVICE BOARD,

November 11, 1897.

In the exercise of the authority conferred by chapter 354, Laws of 1883, and the acts amendatory thereof, and by chapter 428, Laws of 1897, and in accordance with the provisions of the ninth section of the fifth article of the Constitution, the following rules are hereby promulgated for the regulation of the civil service of the city of Poughkeepsie, N. Y., and all other rules are hereby revoked.

C. M. COLWELL,
Chairman.

J. P. AMBLER,
G. N. WILBER,
Secretary.

ALBANY, N. Y., *November 11, 1897.*

The foregoing regulations for the city of Poughkeepsie, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

[L. s.]

CLARENCE B. ANGLE,
Secretary.

**New York City Civil Service Regulations, as amended to
January 1, 1898.**

REGULATION I.

Appointments and promotions in the civil service of the city of New York shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations which, so far as practicable, shall be competitive.

REGULATION II.

The violation of any of the provisions of the Civil Service Act, or of these regulations, by any person in the civil service of the city shall be considered a good cause for the dismissal of such person from the service.

REGULATION III.

The Commission shall have authority to prescribe such rules, in pursuance of and for the execution of the provisions of these regulations and of the Civil Service Act, as may not be inconsistent therewith, and may prescribe blank forms for all applications, certificates, reports, records and returns required under these regulations and the rules made in pursuance thereof.

REGULATION IV.

Schedule A shall include all positions not subject to competitive examination and not included in Schedule G.

All positions classified in Schedule A as exempt from examination, or as subject to non-competitive examination, shall permit but one appointment for each of said positions, unless otherwise specially stated.

Schedule B shall include clerks, copyists, recorders, bookkeepers and others rendering clerical services, except typewriters and stenographers; also all public employes, however designated, whether as "skilled laborers" or otherwise, who may be called upon to do or shall, in fact, do any clerical work.

Office boys (or girls) shall be employes actually employed as such in the office of the departments of public service and who are paid at a rate not exceeding \$25 per month.

Office boys (or girls) who have served as such for two years, may, at the request of the head of the department in which they have served, be examined for the position of junior clerk, which position shall be classified in Schedule B.

Junior clerks shall consist of employes who receive a compensation not exceeding \$600 per annum. Junior clerks shall not be eligible to the position of clerk except after the competitive examination prescribed for original appointment to said position.

Schedule C shall include policemen in the department of parks, and the uniformed force in the fire department.

Schedule D shall include all persons for whose duty special expert knowledge is required and not included in Schedule E.

Schedule E shall include physicians, nurses, surgeons in the department of public parks and medical officers in the fire department.

Schedule F shall include stenographers, typewriters and all persons not included in the foregoing schedules, except laborers or day workmen.

Schedule G shall include all persons employed as laborers or day workmen.

Each schedule shall also include the persons specified under that head in the classification hereto annexed, marked Appendix III.

REGULATION V.

For the purpose of ascertaining the qualifications of persons seeking or named for positions in the department and officers of the municipal government, there shall be a Board of Examiners for all positions in Schedules B, C, D, E and F, and all examinable positions in Schedule A.

This Board shall be composed of the Chief Examiner and as many citizens designated by the mayor as the Civil Service Commissioners may deem necessary. None of such examiners, how-

ever, shall be a public officer or employed in any department of the municipal government.

There shall be a Chief Examiner, who shall devote his whole time to the business of his office, who shall preside at meetings of the Board of Examiners, hear appeals from the decision of any of the Examiners, and have the general supervision of the work of the Examiners. It shall be his duty to attend the meetings of the Commission, except when the Commission is in executive session. The rate of compensation of the officers mentioned in this regulation shall be fixed by the mayor, who will employ assistants, procure suitable offices, and incur such other expenses as may be required for the efficient performance of the duties imposed upon him by the eighth section of chapter 354 of the Laws of the State of New York for the year 1883, as amended by chapter 410 of the Laws of the said State for the year 1884.

It shall be the duty of such Board of Examiners, by such of its members as the Chief Examiner shall designate, to conduct all examinations called for under these regulations, except as herein otherwise provided, and to ascertain the fitness of candidates for the service of the city with regard to character, knowledge and ability for the branch of the service into which they seek to enter, and to determine the relative excellence or standing of the persons examined and to certify the same as herein prescribed.

The mayor will employ a suitable person who shall act as secretary of the Supervisory Board, keep minutes of all proceedings and all necessary records of the examination, standing and certification of applicants, and a complete record of all persons employed in the several departments to which these regulations apply, and of all appointments, promotions, dismissals, resignations and other changes of any kind therein. The secretary shall have the general executive charge of the civil service office, shall assign the clerks and employes to their respective positions and superintend them in the discharge of their respective duties, and shall be secretary of the Examining Board. The secretary shall, after conference with the Chief Examiner, order and fix

the dates of examinations, shall see that they are properly and efficiently advertised, and shall indicate to the Chief Examiner which examination shall be first rated and otherwise expedited, to the end that eligible lists which are most needed shall be first prepared.

In addition to the Board of Examiners, hereinbefore prescribed, there shall be a Commission, to be composed of five citizens designated by the mayor, whose duties shall be:

First.—To aid the mayor, at his request, in preparing suitable regulations for the carrying into effect the provisions of said act.

Second.—To conduct such inquiries as it may deem expedient respecting the examinations in these regulations provided for; to control such examinations and the general administration of the system created by these regulations, and to decide, from time to time, subject to revision by the mayor, all questions arising under these regulations or the constructions thereof, and to make an annual report to the mayor, showing its own action, the regulations and the exceptions thereto in force, the administration thereof, with such suggestions as it may deem necessary for the more effectual accomplishment of the purposes of the said section and of said regulations.

The vouchers for the pay-rolls, and all other expenses incurred in carrying these regulations into effect, shall be certified to the comptroller by the secretary, or in the absence or disability or resignation of the said secretary shall be certified to the comptroller by the mayor's secretary.

REGULATION VI.

Appointments to positions in Schedule A may be made without competitive examination; but the appointing officer shall file with the secretary, within five days after making any such appointment, a formal notification thereof, setting forth the full name of the appointee, the date and place of his birth, length of his residence in the city of New York, nature of previous employment, whether he has ever been in official service before, and if so, when and where, the date of beginning of such service and

term for which appointed, salary, name of person in whose place appointed, and such other statistical information as the Commission may deem proper for registration.

REGULATION VII.

Vacancies in positions classified in Schedules B, C, D, E and F, not filled by promotion, shall be filled by selection from those who have passed highest in open competitive examinations, and for no such position shall any non-competitive examination be allowed. This regulation is without prejudice to the provisions of Regulation LXII.

APPLICATIONS.

REGULATION VIII.

Applications of competitors for positions included in Schedules B, C, D, E and F must be in the handwriting of the applicant and addressed to the "Secretary of the Civil Service Commission, New York city," and for all positions except firemen and park policemen, must be accompanied with the following papers:

First.—The affidavit of the applicant, showing that he is not less than 18 years of age and a citizen of the United States, giving his place of residence, with the street and number thereof, if any; the place, nature and extent of his education, and of his business training and experience, and stating whether he has ever been in the civil service of the city of New York, or in the military or naval service of the United States, and if so, when and where.

Second.—A statement whether such application is limited to any particular office or offices in the service.

Third.—The certificate of four reputable persons of the city of New York, that they have been personally acquainted with the applicant for at least one year, and believe him to be of good moral character, of temperate and industrious habits, and in all respects fit for the service he wishes to enter, and that each of them is willing that such certificate should be published for

public information, and will, upon request, give such further information concerning the applicant as he may possess.

In case the applicant resides out of New York city only two of his vouchers need be residents of New York city.

The requirements as to citizenship and certificates of character, in case of persons applying for positions under Schedules E and F, and the requirements as to citizenship in cases of persons applying for positions under Schedule D may be modified or dispensed with in the discretion of the Commission. All applications for examination shall be filed in the office of the secretary, and all applications and other blanks shall be kept at his office, and shall be procurable there only.

Registers of all applicants shall be kept by the secretary of the Commission. When the applicants on a register are in excess of such number as can be conveniently examined on the same day, the applicants shall be notified to appear in their order on the register. Whenever the demands of the service may require, the secretary shall notify the applicants of record, or such number thereof as can conveniently be examined, to appear for examination, giving place, date and hour for such examination.

REGULATION IX.

Applicants for the following positions must, before being admitted to examination, present satisfactory evidence as to the following facts:

First.—If the position to be filled be that of physician, surgeon, medical officer, inspector of vaccination, or sanitary inspector, that the applicant is duly authorized by the laws of the State of New York to practice medicine and surgery.

Second.—If the position to be filled be that of chemist, or analyzer, that the applicant has received the degree of Bachelor of Science, or its equivalent, from some institution duly authorized by law to confer such degree. If the position to be filled be that of apothecary or druggist, that the applicant is duly registered according to law, and that any other statutory requirements have been complied with.

In positions where the duties are professional, technical or expert, the candidates will be required to show what preliminary training or technical education they have undergone to qualify them for such situations before they can be admitted to examination.

REGULATION X.

Defective applications shall be suspended and applicants notified to amend the same, but no such notice shall be given, or opportunity granted, a second time. Whenever it appears by the application or other satisfactory evidence that the applicant is not within the prescribed limits of age or otherwise not qualified under the regulations, or is manifestly unfit for the service, the application shall be rejected.

REGULATION XI.

Every false statement knowingly made by any person in his application for examination, and every connivance by him at any false statement made in any certificate which may accompany his application, shall be regarded as good cause for the removal or discharge of such person.

CONDUCT OF EXAMINATIONS.

REGULATION XII.

Applicants shall be admitted to examination upon the production of the official notification to appear for that purpose. Each applicant shall receive a number, which shall be indorsed upon his notification when produced, and the notification so indorsed shall be sealed in an envelope. Each applicant shall sign his examination papers with his number, omitting his name, and the envelope shall not be opened until all the examination papers have been received and the markings and gradings made.

All paper upon which examinations are to be written shall be furnished to the applicants by the examining board and shall bear some suitable official indorsement, stamp or mark for the purpose of identifying the same.

REGULATION XIII.

No applicant shall be admitted to examination who is not physically sound, or placed upon the eligible list whose character shall not be entirely satisfactory to the examining board.

REGULATION XIV.

The actual conduct of every examination shall be under the responsible direction of the board of examiners, or of its designated members, free from the interference or participation or influence of the appointing officer, or of any person other than the Commissioners, examiners or experts directly employed by the board of examiners or by the Commission.

The Commission shall have power to authorize or to order the employment of an expert to assist any board of examiners, whether in a special case or in connection with the examinations for any special grade, position or office. The selection of such expert shall be made by the board of examiners, with the consent and approval of the Commission.

Each examiner shall exercise all due diligence to secure fairness and prevent all collusion and fraud in the examinations.

All examinations shall relate to such matters as will fairly test the relative capacity and fitness of the persons examined to discharge the duties of that service to which they seek to be appointed. Excepting as these regulations otherwise provide, the board of examiners may, in the examinations, give such relative importance to the different subjects or matters of examination as to them may seem fit.

REGULATION XV.

All examinations shall be in writing, except such as refer to expertness or physical qualities, and except as herein otherwise provided.

Whenever an oral examination shall be prescribed as part of any scheme of examinations, a stenographic record of such oral questions and answers shall be made and the transcript thereof shall be preserved with the examination papers of the candidate.

REGULATION XVI.

The sheets of questions shall be numbered and shall be given out in the order of their numbers, each, after the first, being given only when the competitor has returned to the examiners the last sheet given to him. In general, no examination shall extend beyond five hours without intermission; and no questions given out at any session, to any candidate, shall be allowed to be answered at another session. Each applicant must complete his examination on the obligatory subjects before taking up any of the optional subjects.

REGULATION XVII.

The time allowed for completing the examination shall be announced before the first paper is given out. For the obligatory subjects the examination shall be confined to a single day.

At or before the commencement of every examination, the weight to be given to every subject included in the examination, and the minimum, if any, allowable upon each subject, shall be announced to the applicants. The appointing officer shall state to the Commission, upon its request, the general qualifications or attainments, physical or mental, or both, and the experience he deems necessary or proper in the position for which an eligible list is to be formed, and also within what limits of age the persons on such list should be.

REGULATION XVIII.

No question in any examination or proceeding by or under these regulations shall call for the expression or disclosure of any political or religious opinion or affiliation, and if such opinion or affiliation be known no discrimination shall be made by reason thereof by the examiners or the appointing power. The examiners shall discountenance all disclosure of such opinion by or concerning any applicant for examination, or by or concerning any one whose name is on any eligible list awaiting appointment.

MARKING.**REGULATION XIX.**

The examination papers shall be reviewed by each examiner separately, except where otherwise directed by the Commission, and, in any case of disagreement, the average of the markings made on any question or paper by all shall be the final marking on such question or paper, subject to the regulation as to revision. (Reg. 5, 27).

REGULATION XX.

In all examinations each subject shall be marked upon a scale of 100, which number represents the maximum possible attainment.

REGULATION XXI.

Every paper in any examination not formally certified by the examiners shall be signed with his initials in ink by each examiner who has reviewed and marked it.

REGULATION XXII.

Handwriting shall be judged, first, by its legibility (as to the ease with which it can be read); second, from its appearance as to correctness of form and finish and regularity of letters; and, third, by general evidence of care in execution. The markings shall be based on these three general characteristics, but the standard of perfection in each examination shall be fixed by the position to be filled. It shall be highest for clerks, and lower for other positions. In case no applicant seems to be entitled to a grade of one hundred in the scale adopted, he shall not be so graded; the marking shall be only according to merit. In writing from dictation or copying from manuscript, the omission, repetition or substitution of words, the erasures, blots, or other evidences of carelessness, shall, proportionately to their number, reduce the marking below one hundred. Words may be specially dictated for spelling, and the work shall be marked with reference to the ratio the misspelt words bear to the whole number.

REGULATION XXIII.

No applicant for the position of clerk, first grade, who receives in the ascertained average less than 90 per cent., or for the position of inspector, fireman or park policeman less than 80 per cent., or for any position less than 70 per cent., shall be placed upon the eligible list.

No applicant for positions classified in Schedule B, or for professional positions, receiving less than 80 per cent. on the special subjects, shall be placed upon the eligible list.

No applicant for the position of fireman or park policeman who receives on the mental examination an average of less than 70 per cent., and on the physical qualification less than 75 per cent., shall be placed upon the eligible list.

No applicant receiving 0 in any one subject shall be placed upon the eligible list.

In all examinations for appointment or for promotion to positions for which there is no eligible list, if there be not more than three competitors, no person shall be eligible for appointment or promotion who shall not have received, as the result of such examination, an average rating of 85 per cent.

In case of all graded positions candidates who seek promotion shall be required to obtain 85 per cent. up to and including second grade and 90 per cent. in all higher grades, and in the case of the uniformed force of the fire and park department, 70 per cent., irrespective of the number of candidates.

REGULATION XXIV.

The general character of the applicant, including habits and reputation, is to be ascertained in such manner as the examining board may determine.

The burden of proof of good character shall, in all cases, be upon the applicant, who may be required to furnish evidence thereof, additional to the certificates required in the application.

REGULATION XXV.

When a candidate shall have been examined, a circular letter, in the following form, shall be sent by the secretary to persons who have given recommendation upon his application paper, unless a satisfactory report of their answers shall have been made by the examiner of character:

NEW YORK CITY CIVIL SERVICE COMMISSION.

NEW YORK,, 189.

To

Sir.—Appended to the application of
for a position in the municipal service as a
is your general certificate of his (or her) good character and habits.

In addition to this it is necessary, before he (or she) can be appointed, that satisfactory information regarding his (or her) character, habits and associates, be received directly from his (or her) certifiers.

I, therefore, respectfully request you to answer the following questions in writing after each, to sign your name, give your occupation and address at the foot, and return the paper to me at your earliest convenience.

Very respectfully yours,

.....,

Secretary.

CERTIFIER'S STATEMENT.

This Sheet should be promptly returned, as a failure to return it will be regarded as a refusal to certify to the character or competence of the applicant.

1. How long have you known the applicant?
2. Has he (or she) ever been employed by you, and, if so, when and how long?

(a)

If he (or she) has ceased to work for you, why did he (or she) leave?

(b)

What was the nature of the work done by him (or her)?

(c)

Was his (or her) work satisfactory?

(d)

If not, in what respect was it deficient?

3. What is his (or her) present occupation? State upon whose information you answer.

4. In what other occupation has he (or she) been employed? State upon whose information you answer.

5. What is his (or her) character as to:

(a) Honesty?

(b) Trustworthiness?

(c) Habits as to the use of intoxicants?

6. Other things being satisfactory would you, with your knowledge of his (or her) capacity, condition of health, character, associates and habits, employ him (or her) in your own private business, had you occasion for such services as he (or she) desires to render the city?

7. Are you willing to allow your answers to the foregoing to be published?

Name

Occupation

Address

No person from whom recommendations are required shall be appointed to any position for which an examination is necessary unless satisfactory answers are returned to these questions by at least two of the persons who have given such recommendations, or unless a satisfactory report of their answers shall have been made by the character examiner.

REGULATION XXVI.

The secretary may give a certificate to any person examined, except under Schedule G, stating the grade which such person attained and the proficiency in the several subjects shown by the markings.

APPEALS—REVISION.

REGULATION XXVII.

Complaints of injustice or unfairness on the part of any examiner or examining board, or of any one acting under the Commission, shall be considered by such Commission, which shall have the right to revise the marking and grading on the papers, or order a new examination, or otherwise act as substantial justice in the premises may require.

ELIGIBLE LIST.

REGULATION XXVIII.

An eligible list shall be prepared by the secretary, from time to time, as the needs of the service require, for each of the different grades of every class in schedules B, C, D, and F. Upon each eligible list shall be placed only such persons as have been found by the Examining Board to be duly qualified for the positions for which such eligible list is prepared. The candidates shall be placed upon the eligible list, stating the order of merit, as shown by the respective percentages of their aggregate markings upon their examinations, and when the candidate has been honorably discharged from the military or naval service of the United States in the late war, that fact shall be indicated upon said list. Where an examination for any grade takes place before the eligible list for that grade is exhausted, a new eligible list shall be prepared after such examination, to take the place of the former eligible list. The persons upon the former eligible list who have not been examined for the new eligible list shall, unless a period of one year from the date of their original examination has elapsed, be placed respectively upon the new eligible list in the position to which the percentages of their aggregate markings upon their former examinations would entitle them if such markings had instead been given them upon the new examinations.

When two or more eligibles on a register have the same average percentage, preference in certification shall be determined

by the order in which their applications were filed, but neither priority in the date of application or of examination will give any other advantage in position on the registers of eligibles.

REGULATION XXIX.

The aggregate results of each examination shall be entered in form, as follows, upon a

Register of Eligible Candidates.

Relative gen- eral standing.	NAMES OF COMPETITORS.	General or on obligatory subjects.	Absolute standings on optional subjects.			
1	Charles O'Malley.....	89	80	70	.....	79
2	Peter Davis.....	87	.....	84	78	.....
3	Carl Schmidt.....	86	.....	.....	.....	87
4	David Thomson.....	83	87	88	71	76
5	James Brown.....	83	89	.....	.....	85
6	Terence Murphy.....	82	82	90	87	74
7	Edward Green.....	81	94	.....	85	81
8	Richard Roe.....	80	.....	.....	.....	.....
9	Max Adler.....	80	78	.....	.....	80
10	Adam Roberts.....	70	.....	85	.....	.....

CERTIFICATION AND APPOINTMENT.

REGULATION XXX.

Whenever a vacancy shall occur within any grade of any clause in Schedules B, C, D, E and F which, in the opinion of the appointing officer, the business of the city requires to be filled, he shall forthwith notify the secretary of the vacancy and state whether the same is to be filled by appointment or by promotion. If the position to be filled is a clerkship, the appointing officer shall state whether it is a minor clerkship, or whether any of the special qualifications denoted by the optional subjects are required, and, if so, which.

The secretary shall thereupon, as soon as practicable, certify to the appointing officer for appointment, or for promotion, from the eligible list appropriated to such position as it may then exist, the three persons having the highest standing on such eligible list, indicating such of them, if any, as have been honorably dis-

charged from the military or naval service of the United States in the late war. The certificate of the secretary shall, in all cases, state the percentage of the maximum obtained by each of the persons certified. If the appointing officer shall notify the secretary of more than one vacancy at any time, the secretary shall certify to the appointing officer for appointment or for promotion, as the case may be, the names of as many persons as there are vacancies to be filled, with the addition of two names. No requisition for names to fill more than ten vacancies shall be made at any one time.

The appointing officer shall thereupon fill said vacancy or vacancies by the appointment of one or more of the persons so certified. Until such appointment has been made to all positions for which names have been certified, or until said certification has been cancelled, no new certification shall be made to fill said vacant position or positions. In all cases the vacancies shall be so filled within fifteen days after the receipt by the appointing power of the names certified by the secretary, and the secretary shall be at once notified by the appointing power of the appointments or promotions so made. No certification shall be in force for a longer period than fifteen days, and at the end of said fifteen days, such certification shall be cancelled by the secretary, and the department making the requisition shall be notified accordingly.

Whenever the appointing officer, who shall have made a requisition to fill a certain number of vacancies, shall appoint or promote to office a number smaller than that of the vacancies named by him, he shall not make the selection therefrom from the whole number certified to him, but only from that number of names standing highest upon the list that would have been certified to him had the requisition stated the number of vacancies which he actually filled.

When a requisition is made for certification to a position which has not been classified, or one for which no eligible list exists, the chief examiner shall report to the Commission whether, in his opinion, the qualifications demanded have been determined

by examination held for eligible lists which are on hand. The Commission may thereupon order that certification for said positions shall be made from one of the eligible lists so indicated.

If the appointing officer shall signify that attainment in one or more of the optional subjects is essential, the secretary shall certify the names of the three persons whose standing on the denoted optional subject is the highest. The examining board may, at any time, hold a competitive examination to fill a vacancy of this kind, if, in their judgment, the eligible list does not contain three persons well qualified to fill the vacant position.

If the appointing officer shall object to an eligible named in the certificate, stating that, because of some physical defect, mental unsoundness, moral disqualification, or other reason particularly specified, said eligible would be incompetent or unfit for the performance of the duties of the vacant position, and if said officer shall sustain such objection with evidence satisfactory to the Commission, the Commission may certify the eligible on the register whose name stands next below those already certified, in place of the one to whom objection is made and sustained.

All positions filled by selections based on optional or special subjects shall be specially noticed in the published list of appointments and in the official registry of qualifications and schemes for examination as being special positions in respect to such qualifications.

This regulation shall not apply to any of the positions for which provision is otherwise made in Regulation 62.

If a person who is not entitled to certification is certified and appointed, his appointment shall be immediately revoked by the appointing officer upon notification by the Commission.

REGULATION XXXI.

Notice shall, within five days from the date of appointment, be given in writing by the appointing power to the secretary, of the person or persons selected for employment or appointment from among those who have been examined, of the place of residence of such persons, of the rejection of any such persons

after probation, of transfers, resignations and removals, and of the date thereof, and a record of the same shall be kept by said secretary. In all cases where the positions are graded according to the compensation received, and such grading determines the character of an examination, the appointing power shall, in addition to the foregoing, notify the secretary of the rate of compensation to be paid to the person appointed.

REGULATION XXXII.

No person on the eligible list shall be certified more than three times to the same appointing officer for the same bureau or institution, except at the request of said appointing officer, nor shall the name of any person remain upon the eligible list for appointment or promotion longer than one year from the date on which it is entered on such list, unless, in the interest of the public service, the Commission shall extend the time during which the eligible list upon which his name appears shall be in force.

The name of any person may be stricken from the eligible list for cause satisfactory to the Commission, to be specified in the minutes of the Commission, and subject to revision by the mayor.

No person, while on the eligible list for any position, shall be allowed to take his or her name off said list for the purpose of entering another examination to increase his or her rating, except at the end of nine months from the date of examination, without the consent of the Commission.

REGULATION XXXIII.

All appointments made under these regulations, except under Schedule G, shall be forwarded to the "City Record" for publication within five days.

REGULATION XXXIV.

Temporary appointments may be made from persons not on the eligible lists, but only as follows: In the department of street cleaning temporary appointments of captains and pilots may be made without examination for a period not exceeding thirty

days. In the office of the receiver of taxes temporary appointments may be made without examination, as they have been heretofore commonly made during the busy season for the collection of taxes. When there is no eligible list for the position for which a requisition is made and upon receipt of a certificate to that effect from the secretary of the Civil Service Commission, any department may make a temporary appointment to said position for a period not exceeding thirty days. The right of said appointee to retain such position shall cease within five (5) days of the receipt by the department so appointing, of a notice from the secretary of the Civil Service Commission, that an eligible list is ready. Every temporary appointment under this regulation must be reported to the secretary of the Civil Service Commission within five days, with the reason for the same.

No person shall be eligible to a temporary appointment who has failed in an examination for the position to which said temporary appointment is made. If any person is employed under a temporary appointment at the time of said failure to pass, such employment shall cease within five days after a notice sent by the secretary to the head of the department in which he is employed.

PROBATION.

REGULATION XXXV.

All employment in positions under any of the schedules, except Schedule G, shall be provisional, and such provisional service shall continue six months, except in Schedule C, when it shall be for one month, during which period the person so employed may at any time be peremptorily discharged from service. If during that period (subject as to policemen and firemen to regulation 58) the conduct and character of the appointee are found satisfactory to the appointing officer, he shall, at the close thereof, receive an appointment, but otherwise his employment shall cease. Anyone failing to receive appointment at the end of six months, except in the case of an appointment to a position the duties of which are completed before the end of the six months herein mentioned, shall be ineligible for one year for appointment in the municipal service in any department.

REGULATION XXXVI.

Every officer under whom any person shall serve during any part of the probation provided for by these regulations shall carefully observe the quality and value of the service rendered by such person and shall report to the appointing officer, in writing, the facts observed by him, showing the character and qualifications of such person and of the services performed by him, and such reports shall be preserved on file.

PROMOTION.**REGULATION XXXVII.**

Promotions from the lower grades to the higher shall be on the basis of merit and competition.

REGULATION XXXVIII.

Except as herein otherwise provided the positions in the various schedules shall be filled, when vacant, by the promotion of those in the service in lower grades in the department, office or institution in which the vacancy or vacancies may occur. Promotions shall be made, subject to the provisions of these regulations, by the officer or officers having the power of appointment. If in the judgment of such officer or officers, there be none found in the lower grades fit to perform the duties in such vacant positions, in that case, and in no other, the positions may be filled in the manner prescribed by these regulations for filling the positions in the lowest grade of the same subdivision and class.

REGULATION XXXIX.

Promotions shall, in all cases, be based upon the positive merit of the person promoted and upon his superior qualification as shown by his previous service.

No person in the service who has not passed an examination under these regulations or under those heretofore prescribed, shall be promoted or transferred to any position for which examination is required without passing an examination under the regulations of the same character as would an applicant for appointment to that position in the service.

No person shall be examined for promotion or transfer from any position in Schedule G to any position classified, as subject to competitive examination, unless such person shall have served the city with credit to himself, for a period of three years in the department in which he is employed, and then only when the promotion or transfer is in the direct line of duty; and the person named shall have passed an examination as provided for in original appointment or promotion.

Fitness for promotion shall be determined by the actual work of the persons named therefor, by the certificates and records hereinafter mentioned and such other information as may be required by, or furnished to, the examining body and by examination.

Promotions shall be made by successive grades. In case of a vacancy in any position, it shall be filled by a selection from the next inferior grade subject to any rule of the department as to length of previous service therein. It shall be the duty of the department in which a vacancy occurs to notify all persons having had the requisite term of service in the next inferior grade, and so on until all the inferior grades are exhausted, if necessary, that there will be a competitive examination for promotion.

It shall be the duty of the officer or officers constituting the appointing power in the department in which a vacancy exists to make and forward to the Civil Service Commission their joint or several certificates as to the efficiency, character and conduct of every person in such inferior grade, who desires to become an applicant for such promotion, together with such other statements bearing upon the fitness of such person or persons for promotion as the officer so certifying shall deem proper.

Such certificate shall be accompanied by a like certificate of the immediate official superior of the person to be examined, and a copy of the record of said person in the department to which he belongs. The examining body shall have the right to call upon the appointing power for further information upon any of the matters before them, and shall duly consider all communications that may be received by them in relation to the fitness of any candidate.

The mayor, in any case in which he shall consider it proper so to do, may direct any examination for promotion to be held by the Commission instead of by the examining board. In such cases the Commission shall have power to employ experts and special examiners to aid them in conducting such examinations.

The appointing power shall determine, by general regulation, who are the immediate official superiors of the officers in each grade in the department.

REGULATION XL.

No recommendation of any person for promotion shall be entertained except in pursuance of the foregoing regulation, and the presentation of any recommendation other than those hereinbefore provided for will be considered an unwarrantable interference with the public service, and the person so recommended may be required to show, before being certified for promotion, that such recommendation was not made by his request or with his connivance.

REGULATION XLI.

Examiners of persons named for promotion shall personally question them concerning their office work and its purposes, in order to ascertain if they have a general and intelligent knowledge of the business in the department in which they are employed, and may require the persons examined to give a written description of the work done by them and its relation to the duties of others.

TRANSFER.

REGULATION XLII.

No transfer from one position in the civil service of the city to a position in said service classified in Schedules B, C, D, E or F shall be allowed without an open competitive examination, unless the person to be transferred shall previously have passed an open competitive examination equivalent to that required for the position to which he is to be transferred, or unless he shall

have served the city with fidelity for at least five years in a similar position.

Upon the written request of an appointing officer stating the essential facts in regard to any proposed transfer, the Commission will, if such transfer be in accordance with law and the provisions of these rules, issue its certificate of that fact to such officer.

All transfers herein authorized shall be made only after the issuance of such certificate.

DISMISSAL.

REGULATION XLIII.

No one dismissed from the service for misconduct shall be eligible to appointment in any capacity in any department of the municipal service within three years.

REGULATION XLIV.

Subject only to the qualifications required to be ascertained in accordance with these regulations, the power of appointment and the responsibility of selection are in all cases in the appointing officer. The power of any officer to remove is not impaired by anything contained in these regulations; provided, however, that no removal shall be made from any position subject to competitive examination, until the person holding such position has been informed of the cause of the proposed removal, and has been allowed an opportunity of making an explanation, and in every case of a removal, the true grounds thereof shall be forthwith entered upon the records of the Department, and a copy thereof shall be transmitted to the New York City Civil Service Commission.

REINSTATEMENT.

REGULATION XLV.

Any person employed in any position in the service of the city who shall be certified to the secretary by the proper authorities to have left such service without fault or delinquency on his

part, and to have performed the duties of such employment creditably, may be re-employed in the same position within one year next following his leaving the service. If such employment was, after due certification for the same, under these rules, such person may be re-employed without further examination. If it was not subject to these rules such person may be re-employed upon passing an examination pursuant to these rules. If several persons are so certified they shall be placed on a separate eligible list pursuant to these rules.

REGULATION XLVI.

No person in the public service is under any obligation to contribute to any political fund, or to render any political service, and no person shall be removed or otherwise prejudiced for refusing to do so.

REGULATION XLVII.

No removals or reductions shall be made because of the political or religious opinions or affiliations of any person in the public service.

No person in said service shall use his official authority or influence to coerce the political action of any person or body; or shall dismiss or cause to be dismissed, or make any attempt to procure the dismissal of, or in any manner change the official rank or compensation of any person in such service because of his political or religious opinions or affiliations.

SCHEDULE B.

Clerical Positions.

REGULATION XLVIII.

The general examination for admission to positions in Schedule B shall be in writing and on the following subjects:

Obligatory:

1. Handwriting.
2. Writing from dictation.
3. English spelling.

4. Arithmetic.
5. Making a condensed summary of a document or letter-writing or both.

Optional:

6. Copying from manuscript and indexing.
7. Arithmetic applied, viz.: Practical problems in proportion percentage, interest, discount and average.
8. Letter-writing on subjects connected with New York city affairs; grammatical correctness and brevity of expressions will be considered.
9. Bookkeeping.
10. Expert penmanship.
11. Typewriting.
12. Stenography.

Every applicant must be examined in the five obligatory subjects, and may be examined further in such of the optional subjects as he may select.

REGULATION XLIX.

The relative weight given to the several obligatory subjects in making up the average standings in Schedule B shall be as follows:

1. Handwriting	30
2. Writing from dictation	15
3. English spelling	15
4. Arithmetic	20
5. Making a summary or letter-writing	20
<hr/>	
Total of weights	100
<hr/>	

REGULATION L.

The process of ascertaining the absolute standing of each competitor shall be as follows:

NEW YORK CITY CIVIL SERVICE COMMISSION, June 30, 1886.

Result of Examination of Adam Roberts.

SUBJECTS.	Standing on subject.	Weight given to subject.	Product of standing and weight.
1. Handwriting	83	30	2,490
2. Writing from Dictation	90	15	1,350
3. English Spelling	68	15	1,020
4. Arithmetic	72	20	1,440
5. Making a Summary	70	20	1,400
Total product.....			7,700
Divide products by sum of Weights.....		100	
General average standing.....			77
8. Letter-writing.....			85

The standing of each of the optional subjects in which any competitor is examined shall be marked on a scale of 100, and shall be recorded in the preceding form as there shown. A similar form shall be used in stating the result of examination for appointment to positions under Schedules C, D, E and F.

At competitive examinations held for the position of clerk, a separate eligible list will be made up having handwriting as its basis; and, where a requisition is made calling for good handwriting rather than proficiency in the other required subjects, certification will be made from such eligible list. Public notice of this rule will be given before each examination.

SCHEDULE C.

Firemen and Park Policemen.

REGULATION LI.

All applications for appointment to any position in Schedule C shall be made upon blanks furnished by the secretary of the Civil Service Commission and Examining Boards, and the same

shall be filed in the office of the said secretary. For all positions in said schedule the first of said blanks, to be presented by the applicant in person, shall be substantially as follows:

CITY OF NEW YORK,.....189 .

To the Board of Civil Service Commissioners of the City of New York:

The undersigned states that he is years of age, respectfully asks an appointment as.....in the.....department, city of New York, and refers you to the following testimonials:

Signed,.....

Each of the undersigned respectfully represents to the Commissioners of city of New York, that he can and does hereby testify that he knows the above applicant personally, and that he is a man of good moral character, of sober and industrious habits; that he has never known him to be guilty or convicted of any criminal act or disorderly conduct; and each of the undersigned further says that he is not a keeper of a liquor saloon; that he consents that this certificate may be made public, and is willing to furnish any other information respecting the applicant which he may possess.

Name..... Residence.....

The second, which must be filled out and signed in the presence of the secretary or of a clerk of the Civil Service Commission, who shall also sign as witness, shall be as follows:

(N. B.—This statement of applicant must be filled out and signed in the presence of the secretary or of a clerk of the Civil Service Commission, who shall also sign as witness.)

CITY OF NEW YORK,, 189..

Statement of
Where were you born?.....
In what year?..... Month?..... Day?.....
Where do you live (street and number)?.....
How long have you lived in New York city?.....

If not born in the United States, have you been naturalized?

When?..... Where?.....

Are you married, or single, or widower?.....

What family have you?.....

Have you been complained of, indicted for or convicted of any criminal offense?..... And if so, when and where?.....

What is your regular occupation?.....

What has been the nature of your occupation for the last five years?.....

Have you ever been a policeman (or fireman, as the case may be)?.....

If so, where?..... And when?.....

Have you paid, or promised to pay, or give any money or other consideration, to any person, directly or indirectly, for any aid or influence towards procuring your appointment?.....

(a) Have you been in the army or navy of the United States?

.....
(a) If the applicant has been in the military or naval service of the United States, he should furnish the name and address of one or more of his surviving officers if practicable. In any case, he shall give satisfactory evidence of honorable discharge.

If so, when?..... In what capacity?.....

Witness

.....,
Signature of Applicant.

CITY AND COUNTY OF NEW YORK, ss.:

....., being duly sworn, doth depose and say:
I signed the above statement, and the same is true to the best of my knowledge and belief.

.....,
Signature of Applicant.

Sworn to before me this day
of, 189..

.....
Signature of Officer Administering Oath.

REGULATION LII.

Every applicant for position in Schedule C shall present to the examining board a statement in reference to his physical qualifications, in which he shall answer in writing the following questions:

Applicant's Statement.

Name
Date of birth.....
Occupation
Have you any disease now?.....
What diseases have you had during the last seven years?.....
Do you know of any hereditary disease in your family?.....
If your parents, brothers or sisters, or any of them are dead, of
what disease did they die?.....
Have you ever had fits?.....
Have you ever had any fracture or dislocation?.....
Have you ever received any injury to the head or spine?.....
Are you subject to piles?.....
Have you been vaccinated?.....
Have you ever had rheumatism?.....

.....,
Applicant.

The medical and physical examiners of the Civil Service Boards shall examine the applicant in reference to the matters designated in the following schedule, and fill up and certify the same in accordance with the result of such examination:

Schedule.

Name..... Age..... Residence.....

HAS THE APPLICANT ever been examined by the Medical Officer of the Department, and if so state the result? }				.....
*STATE THE EXACT Weight, A; Height, B; Circumference of Chest, C.	WEIGHT. A.	HEIGHT.		C† At forced expiration.....inches. On full inspiration.....inches	
		B. Feet.	Inches.		
A. IS THE RESPIRING MURMUR clear and distinct over both lungs?	A.	.....		
B. Is the character of the Respiration Full, Easy and Regular?	B.	.....		
C. Are there any indications of Disease of the Organs of Respiration or their Appendages?	C.	.....		
A. IS THE CHARACTER of the Heart's action Uniform, Free and Steady?	A.	.....		
B. Are its Sounds and Rhythm Regular and Normal?	B.	.....		
C. Are there any indications of Disease of this Organ or of the Blood Vessels?	C.	.....		
A. IS THE SIGHT good?	A.	.....		
B. Is the Hearing good?	B.	.....		
IS THE APPLICANT SUBJECT TO COUGH, Expectoration, Difficulty of Breathing or Palpitation? }					
.....					
A. ARE THE FUNCTIONS of the Brain and Nervous System in a healthy state?	A.	.....		
B. Has the Brain or Spinal Cord ever been Diseased?	B.	.....		
IF THE APPLICANT has had any serious illness or injury, state expressly what effect, if any, is perceptible in the heart, lungs, kidneys, or abdominal organs, or the skin, eyes, ears, limbs, etc.					
.....					
HAS THE APPLICANT any predisposition, either hereditary or acquired, to any constitutional diseases as phthisis, scrofula, rheumatism?					
.....					
DOES THE APPLICANT display any evidence of having or having had syphilis?;					
.....					
HABITS, use of stimulants and tobacco.					
.....					

<p>*The Examiners are called upon to pay especial attention to the annexed schedule in determining the fitness of the applicant.</p>	<p>† Minimum circumference of the Chest tolerable in applicant.</p>	<p>STATURE AND WEIGHT.— The stature shall not be below 5 ft. 7½ in., nor the weight below that marked as its minimum accompaniment in the subjoined table: **</p>																																																
<p>† There should be a difference, at least, of two inches at forced expiration and on full inspiration.</p>	<table><tr><th>Height.</th><th>Circumference of Chest.</th></tr><tr><th>Feet. Inches.</th><th>Inches.</th></tr><tr><td>5 7½</td><td>33½</td></tr><tr><td>5 8</td><td>34</td></tr><tr><td>5 9</td><td>34½</td></tr><tr><td>5 10</td><td>35</td></tr><tr><td>5 11</td><td>35½</td></tr><tr><td>6 --</td><td>36</td></tr><tr><td>6 1</td><td>36½</td></tr><tr><td>6 2</td><td>37</td></tr><tr><td>6 3</td><td>37½</td></tr><tr><td>6 4</td><td>38</td></tr></table>	Height.	Circumference of Chest.	Feet. Inches.	Inches.	5 7½	33½	5 8	34	5 9	34½	5 10	35	5 11	35½	6 --	36	6 1	36½	6 2	37	6 3	37½	6 4	38	<table><tr><th>Height. (b)</th><th>Min. Weight</th></tr><tr><th>Feet. Inches.</th><th>Pounds.</th></tr><tr><td>5 7½</td><td>132</td></tr><tr><td>5 8</td><td>135</td></tr><tr><td>5 9</td><td>140</td></tr><tr><td>5 10</td><td>145</td></tr><tr><td>5 11.</td><td>150</td></tr><tr><td>6 --</td><td>155</td></tr><tr><td>6 1</td><td>160</td></tr><tr><td>6 2</td><td>165</td></tr><tr><td>6 3</td><td>170</td></tr><tr><td>6 4</td><td>175</td></tr></table>	Height. (b)	Min. Weight	Feet. Inches.	Pounds.	5 7½	132	5 8	135	5 9	140	5 10	145	5 11.	150	6 --	155	6 1	160	6 2	165	6 3	170	6 4	175
Height.	Circumference of Chest.																																																	
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6 4	175																																																	
<p>‡ Syphilitic taint in the applicant must always be regarded as good cause of rejection.</p>																																																		
<p>** Obesity must be regarded as a good cause for rejection.</p>																																																		

(a) In examining the sense of sight, not only shall the general condition of the organs be ascertained, but weight shall be given to quickness and accuracy in discriminating colors and distances. The hearing shall be tested also as to keenness and correctness in distinguishing degrees and kinds of sounds and the direction from which they come.

(b) In the Park Department the minimum height required is 5 ft. 8 in., and the weight 132 pounds.

(c) In the Fire Department the minimum height required is 5 ft. 7 in., and the weight 135 pounds. In special instances, when recommended by the head of the Fire Department, and by the chief of department, the minimum height required may be reduced to 5 ft. 6½ in.; provided that in such cases the applicant shall weigh not less than 156 pounds and have a chest measurement of not less than 36 inches.

Affidavit to be signed and sworn to by applicant.

CITY AND COUNTY OF NEW YORK, ss.: ,

I,, being duly sworn, depose and say, that I have returned true answers to the inquiries of touching my personal and family health, history, habits and antecedents, and that I am the person described in the above record or examination.

Sworn to and subscribed before me, this

.....day of.....189..

Notary Public (or Commissioner of Deeds).

Certificate of Medical and Physical Examiners.

We hereby certify that we have this day carefully and thoroughly examined, in accordance with the above instructionsand find that he is..... sound in limb and body, is.....able-bodied..... of a robust constitution, has.....good eyesight and

.....good hearing, and in our opinion is.....
 physically qualified to sustain the labors and exposures, and per-
 form the duties of a.....and that the above is a truth-
 ful record of the examination.

Signed,.....

New York.....189..

REGULATION LIII.

The physical examiner shall also test the strength, activity and physical capacity of the applicant by suitable examination into the strength of his lungs and the strength of his back, chest, legs and arms. These tests shall be submitted to and approved by the Commission, and shall include the applicant's swiftness and endurance in running. Such examiner shall report in writing to the Board of Examiners the result of such examination.

REGULATION LIV.

Applicants for positions shall then be submitted for further examinations as to general qualifications.

General Qualifications.

1. General character: To include habits and reputation and to be ascertained in such manner as the Examining Board may determine with the aid directed by Regulation LI.

2. Experience: Obtained either in actual service as a police officer (or fireman, as the case may be), or in other occupation tending to qualify for such service.

3. Obligatory subjects:

(a) Reading from print and manuscript.

(b) Handwriting.

(c) Writing down from memory the substance of matter orally communicated.

(d) Arithmetic: Addition, subtraction, multiplication and division, applied to whole numbers.

(e) Writing a letter and a report on subjects given at the time of the examination.

(f) In the case of applicants for positions as policemen, questions relating to city government, location of streets, public buildings, railroad depots and other subjects respecting which strangers in the city naturally inquire. In the case of applicants for positions as firemen, these questions should be directed to the location of streets, and the location and construction of buildings, with especial reference to precautions against fire.

The relative weight given to the several obligatory subjects in making up the average standings will be as follows:

(a) Reading	1
(b) Handwriting	1
(c) Writing from memory.....	1
(d) Arithmetic	1
(e) Writing a letter and a report on subjects given at the time of the examination.....	4
(f) City information (or knowledge of buildings).....	2
Total of weights.....	<u>10</u>

REGULATION LV.

In making up the general average of the standing of applicants for positions in Schedule C, the relative value of each qualification and subject shall be as follows:

Physical qualifications	4
Experience	1
Obligatory subjects	5
Total of values.....	<u>10</u>

The general average shall be ascertained by multiplying the ascertained average standing of the applicant in each qualification by the value attached thereto and dividing the united products by ten.

No person whose standing on the average of the obligatory subjects, is less than 70 per cent. or whose standing on physical qualifications is less than 75 per cent., or whose ascertained average on all is below 80, shall be placed upon the eligible list.

REGULATION LVI.

Under the head of "Rules and Regulations," the examiners shall endeavor to test the natural or acquired fitness of the applicants for their work. Cases shall be described to them—preferably actual cases taken from correct reports—and they shall be required to state their views of what the rules would require of them in such cases. This inquiry shall include a report, such as a policeman or fireman would be obliged to make, of such an occurrence.

PROBATION OF FIREMEN AND PARK POLICEMEN.

REGULATION LVII.

Promotions to all positions included in Schedule C shall be made from the next lower grade by competitive examination. The subject of such examination shall be as follows:

	Marks
1. Writing from dictation.....
2. Handwriting
3. Knowledge of the "Rules and Regulations".....
4. Fines and penalties last three years.....
5. Arrests for last twelve months.....
6. Veracity
7. Habits as to use of liquor.....
8. Ability and energy
9. Coolness and judgment in emergencies.....
10. Deportment toward citizens.....
11. Character for maintaining discipline among, and getting good work from, subordinates.....
12. Physical condition, including activity and endurance..
13. Knowledge of laws and ordinances relating to his duties
14. General knowledge of localities.....
15. United States Infantry tactics, and manual of the use of the club, as authorized by the department.....
16. Fidelity and promptitude in the performance of duty..
Average

In examining firemen and park policemen for promotion, number 11 shall be omitted.

The standing of applicants for promotion in reference to subjects 1, 2, 3, 12, 13 and 14, shall be determined by examination. Their standing in reference to subjects 4, 5, 6, 7, 8, 9, 10, 11, 15 and 16, shall be determined by the records of the department, in which each man's conduct and actions shall be entered, and by such additional satisfactory information as the Commission or examining board may deem necessary and pertinent.

REGULATION LVIII.

During the period of probation provided for by these rules, all persons admitted on such probation to positions in Schedule C shall pass such portion of their time as the department shall require in the school of instruction, and no person shall receive an appointment to a position in either department unless at the end of the period of probation the instructor of the school of instruction shall report to the Commissioners that such applicant is competent to become a member of the force. In the case of persons applying to become members of the life saving corps of the fire department no person shall receive such appointment unless at the expiration of such period of probation the instructor shall report to the Commissioners of the fire department that such applicant is competent to become a member of the life saving corps.

REGULATION LIX.

The capacity, mental, physical and educational, of every member of the uniformed force of the fire department and the department of public parks shall be inquired into once every three years during his term of service, and his fitness to continue in the service be determined thereby.

SCHEDULE D.

REGULATION LX.

Part 2.

The board of examiners shall examine every applicant eligible under these rules for a position in Schedule D, and shall give a certificate of qualification to such persons only when satisfied—

First.—That he (or she) is within the limits of age prescribed for the situation named.

Second.—That he (or she) is free from any physical defect or disease likely to interfere with the proper discharge of his (or her) duties.

Third.—That his (or her) character is such as to qualify him (or her) for such employment; and ;

Fourth.—That he (or she) possesses the requisite knowledge and ability to enter upon the discharge of the duties of such situation or employment. ;

The fourth article of the certificate shall be determined by the examining board from the results of the competitive examination of the different persons applying for the position to which the appointment is to be made. This examination shall have reference to the special qualifications, expert or otherwise, required for that particular position and shall be practical in its character.

REGULATION LXI.

The general examination for admission to the subordinate places in Schedule D (being part 2 of the classification hereto annexed) shall be in writing, and on the following subjects:

1. Handwriting (as shown in examination papers).
2. Arithmetic, viz.: addition, subtraction, multiplication and division.
3. Questions relating to the technical knowledge required for the position sought by the applicant.
4. Experience tending to qualify him for that position.

In addition to this the health and physical vigor of the applicant shall be tested, as hereinafter required.

The relative weight to be given to these several subjects in making up the average standing shall be as follows:

1. Handwriting	1
2. Arithmetic	1
3. Technical knowledge.....	6
4. Experience	2
Total of weights.....	10

Part 1.

No person shall be admitted as a competitor for appointment to any of the superior positions in Schedule D (being Part 1 of the classification hereto annexed), who shall not present to the examining board satisfactory evidence that he has received a diploma or certificate from some reputable institution showing that he has pursued in such institution, with credit for two years, a course of study adapted to qualify him for the position which he seeks, or for which his appointment is desired.

He may, however, produce in lieu of such diploma or certificate, certificates from one or more professional men in good standing to the effect that he has pursued with them or under their direction, and with credit to himself, a course of study similar to that before mentioned for at least three years.

Those admitted to competition for the superior positions in Schedule D shall be examined in writing on the following subjects:

1. The technical knowledge required for the position to be filled, and respecting which the examination is held.

2. Experience tending to qualify the applicant for that position.

As part of the examination as to experience, the examining board shall make inquiries in writing of the persons with whom the applicant has studied, or by whom he has been employed, on the following subjects: ;

Efficiency and accuracy in his own work.

Character for maintaining discipline among and getting good work from his subordinates, and, when appropriate, anything else in his character or antecedents tending to show his fitness for the position which he seeks.

The relative weight to be given to these several subjects shall be as follows:

1. Technical knowledge.....	50
2. Experience	15
3. Mathematics	20
4. Reports, etc.....	15

100

SCHEDULE E.

REGULATION LXII.

The names of applicants for positions as nurses shall be registered, and when a sufficient number have applied they shall be summoned for examination. The examiners shall make inquiry regarding the age, condition of health, moral character, sobriety, personal habits, temper and temperament, of each applicant. The educational test shall be to read, write legibly and work simple problems in arithmetic. When required, the examination shall include such other subjects as will tend more effectually to ascertain the fitness of candidates.

Graduates from the training school of the New York State Hospital, the training school of Bellevue Hospital, Metropolitan Training School and the training school of the City Hospital, who have received diplomas from these institutions may, upon their own application, be placed upon the eligible list for nurses, with a grading of 100, without further examination, unless required by the Commission. Whenever the appointing officer shall notify the secretary that he desires for the person to be appointed the experience and training required in the training school, the names of such graduates shall be sent to him in preference to those of others upon such eligible list.

SCHEDULE F.

REGULATION LXIII.

The positions coming under Schedule F being of a miscellaneous character, and the qualifications for examination being necessarily varied, the subjects of examination shall be selected by the examining board, but shall only be such as will fairly test the fitness of the applicants for the positions desired.

PRISON KEEPERS.

REGULATION LXIV.

Applicants for the positions of guards, watchmen or keepers in prisons and workhouses, shall not receive an appointment until they have successfully passed a physical examination by the medical examiner.

The physician making such examination shall answer the following questions in writing and sign his name and address to them:

Has the applicant any organic disease of the following organs, and, if so, state what it is?

Lungs.

Heart.

Kidneys.

Is he free from hernia?

Is he free from varicose veins?

Is his sight good?

Is his hearing good?

Does he suffer from any nervous disease, as epilepsy or paralysis?

Are there any circumstances connected with the applicant's health or strength besides what are stated above, that can, in your opinion, tend to render the applicant unfit for prison service as a guard, keeper or watchman?

If so, state them.

Certificate.

The following certificate must be given in such cases by the examining physician to all applicants approved by him:

I,, do hereby certify that I have examined, the above applicant, and having in view all and several the answers to the above questions, I do further certify that I find him physically fit for the prison service of the State of New York.

(Signature.)

Dated at this day of, 189..

SCHEDULE G.

Labor Service.

REGULATION LXV.

Schedule G shall include all laborers and other employes in the city service who shall not be subject to examination under the Civil Service Rules or be specifically exempted from examination by said rules or by the statutes of this State.

There shall be appointed by the Mayor, on the recommendation of the Civil Service Commissioners, a clerk of the Civil Service Commissioners of the city of New York, to be known as the labor clerk.

It shall be the duty of each department of the city service to report, in writing, to the secretary of the Civil Service Commissioners, within ten days after a written request from him for such report, the names, duties and salaries of all employes hereby classified in Schedule G, who shall, at the date of such request, be in the service of such department.

REGULATION LXVI.

All persons seeking any employment classified in Schedule G shall apply for registry for such employment to the labor clerk of the Civil Service Commissioners, who shall thereupon forthwith deliver to the applicant, or mail to him at the address given by him, a copy of these rules and an application blank of such form as shall be prescribed by the Civil Service Commissioners, calling for the name, age, residence and citizenship of the applicant, the number and relationship of the persons dependent upon him for support, his previous occupation and service, if any, in the army or navy of the United States, and the date of his discharge therefrom, and proof thereof, and also a certificate of character for the purpose of signature, by two reputable residents of New York city, one of whom is or shall have been an employer of the applicant, vouching for his sobriety, trustworthiness, industry and capacity for labor and employment for which he seeks to be registered.

Upon receiving such application, duly filled out and signed by the applicant with his name or mark, together with such certificate of character duly filled out and executed, the labor clerk shall cause a number to be affixed to the application, showing the order of its receipt, and thereafter shall enter the same in an application book in such order, and shall cause a written notice to be sent or given to the applicant, stating the time and place of his examination for registry fixed by the Civil Service Commissioners, as here-

inafter provided, at which time and place such examiner or examiners as may be selected by the Civil Service Commissioners shall, in such manner as they shall prescribe, make inquiry regarding the age, residence, citizenship, character, physical condition, family, previous occupation and military service of the applicant, and ascertain and determine whether he is qualified for the employment sought, and shall indorse a statement of the determination in that regard and the reasons for it upon his application, which shall thereupon be placed on file in order of registration as hereinafter stated. Any wilfully false statement or fraudulent conduct on the part of the applicant shall disqualify him for registration.

An applicant who fails to report for physical examination or who changes his (or her) paper after filing the same shall lose the registration number, and shall be required to make a new application.

For any other service than that of common laborer, candidates will be required to produce a certificate from some competent person or persons, of his ability to do the special kind of work for which he desires to be certified.

REGULATION LXVII.

All applicants determined to be qualified for the employment sought shall be registered in the order of their application in a labor register to be kept by the labor clerk. This register shall subdivide such applicants according to the kind of labor, unskilled or special, for which they are determined to be qualified. It shall state the name, age, residence, citizenship and previous occupation of the applicant, the kind of labor, unskilled or special, for which he is qualified, the date of his application, the number and relationship of the persons dependent upon him for support, the nature of his service, if any, in the army or navy of the United States in time of war, and of his discharge therefrom, his references and such other information with reference to the applicant as the Civil Service Commissioners may from time to time require.

No person shall be eligible for appointment for a longer period than one year from the date of his or her latest physical examina-

tion. To determine continued eligibility physical examinations of those already registered shall be held according to the needs of the public service. When such re-examination is to be held, each person to be examined shall be notified by mail, in order of his or her registration number, to report upon a fixed day and hour for examination. The names of all who do not report for said examination, and the names of all who are found not qualified as the result of said examination, shall be stricken from the eligible list.

The name of each person found qualified shall be retained upon the registration list in the order of his or her original registration.

Examinations for registry shall be held under the direction of the Civil Service Commissioners as often as the city service may require.

On and after the first day of May, 1895, appointment to positions included in Schedule G shall be made from said registry, except as herein otherwise provided.

REGULATION LXVIII.

When the services of laborers or other employes included in Schedule G are required in any department of the city service, the officer of such department thereto duly authorized shall make a written requisition upon the labor clerk stating the number of persons required, the kind of labor, unskilled or special, for which they are required, and the time and place of employment. Upon receiving such requisition, the labor clerk, under the direction of the Civil Service Commissioners, shall certify to such officer, from the registry, the names of as many persons as there are vacancies to be filled, with the addition of two names for every ten vacancies, if the registry contain so many, stating as to each name, registration number, residence, the kind of labor, unskilled or special, for which he has been determined to be qualified, and giving such other information as the Civil Service Commissioners may direct. In making such certification the labor clerk shall certify in the order of registration.

First.—Veterans with families dependent upon them for support.

Second.—Other veterans.

Third.—Persons, not veterans, with families dependent upon them for support and the Commission may give a preference, based upon the number of persons so dependent and upon faithful service in the employ of the city.

Fourth.—Other persons.

If there be no subdivision covering the kind of labor required, or if the names in such subdivision be exhausted, the labor clerk shall certify from the subdivision covering unskilled labor, unless the officer making the requisition shall designate some other subdivision and there shall be names enough therein to comply with the requisition; in such case the certification shall be made from such subdivision.

From the number of persons so certified, the officer making the requisition shall select the number required and report to the labor clerk, within ten days from the date of certification, the names, registration numbers and addresses of the persons so selected, provided, however, that whenever the officer who shall have made the requisition for a certain number shall employ a smaller number he shall not make the selection therefor from the whole number certified to him but only from that number of names standing first upon said list that would have been certified to him had the requisition stated the number of vacancies which he actually filled.

REGULATION LXIX.

Any persons not selected shall remain upon the registry, and any persons selected shall, if they so request, be restored to the registry in the order in which they originally stood thereon upon the termination of the employment unless the employment has been terminated by reason of the failure to work, incompetence or physical or moral disqualifications of the employe. In the case of every employe, the department of the city service employing him shall forthwith report to the labor clerk the names and numbers of the persons employed, and upon the termination of the employment shall report, on a form to be prepared and furnished by the Civil Service Commissioners for that purpose, the date of such

termination and the reason therefor, and the substance of such report shall be entered upon the registry against the name of such employe. No employe whose employment is terminated for the reason of failure to work, incompetence or physical or moral disqualification shall be restored to the registry or be again eligible for registration until the expiration of a period of six months from the date of such termination, and then only upon furnishing to the examiners satisfactory excuse for his failure to work and satisfactory evidence that incompetence or physical or moral disqualification for the employment for which he seeks to be registered does not exist.

REGULATION LXX.

In case the labor clerk is at any time unable to fill a requisition, he shall certify the fact to the officer making the requisition, who shall then make the selection of the employes immediately required in such manner or under such regulations as the Civil Service Commissioners may from time to time prescribe.

Laborers so selected shall not be retained in employment for a longer time than one week, unless they shall present themselves at the Civil Service Labor office for registration in the manner and under the conditions prescribed for those seeking employment as set forth in the special regulations in relation to the employment of laborers.

REGULATION LXXI.

No laborer or other employe whose employment is classified in Schedule G shall be detailed to perform the duties appertaining to any position or be appointed or promoted to any position classified in either of the other schedules, except upon the conditions prescribed in the Civil Service Regulations for appointment or promotion to such position.

AQUEDUCT COMMISSION.

REGULATION LXXII.

A special Board of Examiners shall be organized for the examination of applicants for employment by the aqueduct commission in Schedules D, F and G, in the classification appended to the pre-

ceding regulations. The said board shall consist of two civil engineers, to be designated by the aqueduct commissioners and approved by the mayor, the civil engineer of the Examining Board and chief examiner. The chief examiner shall be chairman.

A quorum for the conducting of any examination shall be two, of whom in all cases one shall be an engineer in the employ of the aqueduct commission and one a member of the regular Civil Service Examining Board, and the powers of this board shall be the same as those given to the regular Examining Board by these regulations.

It shall be the duty of such special Board of Examiners to conduct all examinations called for under this regulation, except as herein otherwise provided, and to ascertain the fitness of candidates for the service of the aqueduct commission with regard to character, knowledge and ability for the branch of such service into which they seek to enter, and to determine the relative excellence or standing of the persons examined, and to certify the same as prescribed by these regulations.

Application of competitors for positions in the aqueduct commission shall be made in the form to be prescribed by the Commission.

The general examination for admission to the places in Schedule D (being Part II. of the classification appended to the preceding regulations) shall be in writing, and on the following subjects:

1. Handwriting (as shown in examination papers).
2. Arithmetic, viz.: Addition, subtraction, multiplication and division.
3. Questions relating to the technical knowledge required for the position sought by the applicant.
4. Experience tending to qualify him for that position. In addition to this the health and physical vigor of the applicant shall be tested as hereinafter required.

The relative weight to be given to these several subjects in making up the average standing shall be as follows:

1. Handwriting	1
2. Arithmetic	1
3. Technical knowledge	6
4. Experience	2
	<hr/>
Total of weights	10
	<hr/>

Those admitted to competition for the superior positions in Schedule D, Part I, shall be examined in writing on the following subjects:

1. The technical knowledge required for the position to be filled, and respecting which the examination is held.

2. Experience tending to qualify the applicant for that position.

As part of the examination as to experience the special Examining Board shall make inquiries in writing of the persons with whom the applicant has studied, or by whom he has been employed, on the following subjects:

Efficiency and accuracy in his own work.

Character for maintaining discipline among, and getting good work from, his subordinates, and, when appropriate, anything else in his character or antecedents tending to show fitness for the position which he seeks.

The relative weight to be given to these subjects shall be as follows:

1. Technical knowledge	50
2. Experience	15
3. Mathematics	20
4. Reports, etc	15
	<hr/>
	100
	<hr/>

When competition may not be found practicable to meet an exigency for special work in the positions of assistant engineers, instrumentmen, draughtsmen, superintendents and inspectors, and the fact of the exigency shall be made to appear by the certificate of the aqueduct commission, it shall be in the power of the super-

visory board to institute non-competitive examinations to temporarily fill such positions; but no appointment so made shall hold longer than for a period of three months.

Upon the presentation to the secretary of the following certificate by the president and chief engineer of the aqueduct commission, and upon the going into effect of this regulation, all persons employed by the said Commission prior to the 7th day of September 1886, and who shall be named in such certificate, shall be considered as regularly in the employ of the said Commission, but the said Commission may, in its discretion, require any of said persons to pass an open competitive examination in order to be continued in the service.

CERTIFICATE.

The undersigned, president and chief engineer of the aqueduct commissioners, do certify that the persons whose names are given in the annexed list were employed by said Commissioners after a careful examination into their qualifications for the positions respectively held by them; that we are satisfied, after the experience actually had of their character and conduct, that they are severally qualified for the positions specified in the said list and that, in our judgment, any further examination as to their qualifications is unnecessary.

Except as in this regulation otherwise provided the preceding regulations shall regulate and apply to all appointments made by or under the authority of the aqueduct commission.

REGULATION LXXIII. !

No amendment to these regulations shall take effect until it has been printed for distribution, and twice published in the City Record.

REGULATION LXXIV.

The rating on all the present eligible lists of the New York City Civil Service Commission in Schedules A to F, both inclusive, shall be divided by two. The result will be the new rating required by section 1 of the act.

REGULATION LXXV.

When there is no eligible list of merit for the position for which a requisition is made and upon receipt of a certificate to that effect from the secretary of the Civil Service Commission, any department may make a temporary appointment to said position. The right of said appointee to retain such position shall cease within thirty days of the receipt by the department so appointing of a certification from the secretary of the Civil Service Commission of an eligible list for merit for the position to which temporary appointment has been made.

APPENDIX III.

Definition of Schedules.

Schedule A shall comprise all positions which are classified as exempt from examination or which are subject to a non-competitive examination.

Schedule B shall comprise all positions of a clerical nature, which shall be graded as follows:

Office boy:

Annual compensation of \$300 or less.

Junior clerks:

Annual compensation of \$600 or less.

Senior clerks and like employes:

First Grade, annual compensation from \$600 to \$1,000 inclusive.

Second Grade, annual compensation from \$1,000 to \$1,500 inclusive.

Third Grade, annual compensation from \$1,500 to \$2,000 inclusive.

Fourth Grade, annual compensation from \$2,000 to \$2,500 inclusive.

Fifth Grade, annual compensation from more than \$2,500 inclusive.

Schedule C shall comprise the positions of police and uniformed fireman.

Schedule D, Part I, shall comprise all positions of a higher professional nature, for which a diploma or certificate is required.

Part II. shall comprise all positions of a lower professional nature. for which a diploma is not required.

Engineering positions shall be graded as follows:

<i>Position.</i>	<i>Grade.</i>	<i>Maximum.</i>
FIRST GRADE.		
Axeman		\$900
SECOND GRADE.		
Chainman		\$1,080
Rodman		1,200
THIRD GRADE.		
Leveler		\$1,320
FOURTH GRADE.		
Engineer inspector.....		\$1,500
Computer		1,800
Transitman		1,800
FIFTH GRADE.		
Assistant engineer.....		\$2,100
SIXTH GRADE.		
Principal engineer, S. W. B.....		\$3,000 and over
FOURTH GRADE.		
Draughtsman, general.....		\$1,800
Draughtsman, architectural or mechanical.....		1,800
Draughtsman, topographical.....		1,800
FIFTH GRADE.		
Draughtsman, chief.....		\$2,000

Schedule E shall comprise all positions where medical services are rendered.

Schedule F shall comprise all positions of a miscellaneous nature.

Schedule G shall comprise the following positions:

Letters of recommendation from former employers must be furnished by applicants for all positions other than common laborer.

Baker.	Batteryman's assistant.
Barber.	*Blacksmith.
Basket maker.	*Blacksmith's helper.
Batteryman.	Boat builder.

Boatman.	Mason.
*Bricklayer.	Morgue keeper.
Bridge tender.	Mower.
Butcher.	Oil collector.
*Cabinet maker.	Oiler.
*Carpenter (house).	*Painter (letterer).
*Carpenter (ship).	*Painter (striper).
*Cement worker.	*Painter (decorator).
Cleaner (male and female).	*Painter (grainer).
Cook (male).	*Painter (house).
Cooper.	Paver.
*Coppersmith.	*Pipe caulker.
Coxswain.	*Pipe fitter.
Cutter.	*Plasterer.
Deckhand.	*Plumber.
Diver's tender.	Rammer.
Dock builder.	Rigger.
Elevator man.	*Roofer.
Flagger.	*Saw filer.
Foreman's assistant.	Scowman.
Foreman of laborers.	Seamstress.
Gas maker.	*Ship caulker.
Gas maker's assistant.	Shoemaker.
Groundman.	Sounder.
*Horseshoer.	Stableman.
*Hose repairer.	Steward on tug.
*Hose repairer's helper.	Stoker.
Hospital helper (male and female).	*Stonecutter.
Hospital helper (mechanic).	Tailor.
*Housesmith.	*Tapper.
Laborer.	*Tapper's assistant.
Lighter of markets.	*Tinsmith.
Lineman.	Toolman.
*Machinist.	Truckman.
*Machinist's apprentice.	*Varnisher.
*Machinist's helper.	*Wheelwright.
	*Woodworker.

Provided, however, that no public employe, however designated, whether as "skilled laborer" or otherwise, who may be called to do or shall in fact do any clerical work, shall be included in Schedule G.

The inspectors of election and poll clerks are exempt from examination, as required by chapter 357 of the Laws of 1884. Special patrolmen, appointed pursuant to section 269 of the New York City Consolidation Act, are also exempt from examination.

Classification of the Civil Service of the City of New York.

COMMISSIONERS OF ACCOUNTS.

Schedule A.

Chief clerk.		Examiners. Engineer.
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Schedule D.

Clerks (as graded in Appendix III).		Office boy or girl.
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Schedule D.

Part II. Assistant examiner.		Assistant engineer.
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Schedule F.

Stenographer and typewriter.		Messenger.
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Schedule G.

Laborers (Appendix III).

PUBLIC ADMINISTRATOR.

Schedule A.

Assistant to public administrator.

Schedule B.

Clerks (as graded in Appendix III).		Law clerk. Office boy or girl.
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Schedule F.

Stenographer.		Messenger.
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BOARD OF ALDERMEN.

Schedule B.

Deputy clerk.		Clerks (as graded in Appendix
Engrossing clerk.		III).

Schedule D.

City surveyor.	
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Schedule F.

Sergeant-at-arms.		Messenger.
Librarian.		Stenographer and typewriter.

ARMORY BOARD.

Schedule A.

Secretary.	
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Schedule B.

Clerks (as graded in Appendix		Office boy or girl.
III).		

Schedule D.

Part II.—Clerk of the work (inspector).

Schedule F.

Stenographer and typewriter.	|	Janitor.
Messenger.	|	

AQUEDUCT COMMISSION.

Schedule A.

Secretary.	|	Chief engineer.
Auditor.	|	

Schedule B.

Chief clerk.	Clerks (as graded in Appendix
Assistant secretary.	III).
	Office boy or girl.

Schedule D.

Part II.	Part I.
Superintendent.	Assistant engineer.
Superintendent of dam construction.	Division engineer.
	Part II.
Topographical draughtsman.	Transitman.
Draughtsman.	Leveler.
Inspector.	Rodman.
Inspector of masonry.	Chainman.
	Axeman.
Part I.	
Engineer corps (as graded in Appendix III).	

Schedule F.

Engineman.	Janitor.
Foreman.	Stenographer and typewriter.
Foreman's assistant.	

Schedule G.

Laborers (Appendix III).

BUILDING DEPARTMENT.

Schedule A.

Secretary.	Assistant attorney.
Attorney.	First Deputy superintendent.
Subject to non-competitive examination.	
Stenographer to the Superintendent.	Confidential iron and steel building inspector.
Confidential mason building inspector.	Confidential plumbing, light and ventilation building inspector.

Schedule B.

Chief clerk.	Office boy or girl.
Clerks (as graded in Appendix III).	

Schedule D.

Part I.	Light and ventilation.
Second deputy superintendent.	Building inspector, masonry.
Part II.	Building inspector, carpentry.
Inspector to supervise elevators (machinists).	Inspector of iron and steel construction.
Inspector of plumbing.	Chief inspector.

Schedule F.

Stenographer and typewriter.	Driver.
Messenger.	

Schedule G.

Laborers (Appendix III).

DEPARTMENT PUBLIC CHARITIES.

Schedule A.

Secretary.	Chaplain.
	Treasurer's clerk.

Schedule A—Non-competitive.

Pilot.

Schedule B.

Clerks (as graded in Appendix III).	Office boy or girl.
Executive clerk.	General bookkeeper.
Property clerk.	Auditor.

Schedule D.

Part II.	Part II.
Apothecary.	Photographer of the unknown dead.
Chemist.	Part I.
Druggist.	Superintendent training school.
Mechanical engineer.	Dept. superintendent training school.

Schedule E.

Visiting oculist.	Matron.
Physician.	Nurse.
Surgeon.	Medical superintendents of hos-
Assistant physician.	pitals.

Schedule F.

Purchasing agent.	Registrar.
General storekeeper.	Stenographer and typewriter.
Superintendents of hospitals and almshouses.	Teacher.
Superintendents of out-door poor department.	Medical bath attendant.
Deputy superintendent of out- door poor department.	Messenger.
Permanent visitor.	Laboratory attendant.
Morgue superintendent or keeper.	Captain (steamboat).
Superintendent drug depart- ment.	Chef.
Superintendent stables.	Coxswain.
Manager Lodging House for Homeless Men.	Driver (ambulance).
Assistant manager Lodging House for Homeless Men.	Engineman (marine and sta- tionary).
Investigating officer Lodging House for Homeless Men.	Florist.
Night officer Lodging House for Homeless Men.	Farmer.
Superintendent of hospitals.	Foreman.
Deputy superintendent.	Foreman's assistant.
Visitor out-door poor depart- ment.	Gardener.
	Janitor.
	Steward.
	Storekeeper.
	Telegraph operator.
	Telephone operator.
	Watchman.
	Examiner of dependent chil- dren.
	Inspector of orderlies.
	Hospital orderly.

Schedule G.

Laborers (Appendix III).

SUPERVISOR OF THE CITY RECORD.

Schedule B.

Private secretary.	Office boy or girl.
Clerks (as graded in Appendix III).	

Schedule F.

Supervisor.	Storekeeper.
Deputy supervisor and expert.	Messenger.
Deputy supervisor and accountant.	Bookbinder.
	Janitor.

Schedule G.

Laborers (Appendix III).

CIVIL SERVICE COMMISSION.

Schedule B.

Secretary.	Clerks (as graded in Appendix III).
Chief clerk.	
Labor clerk.	Office boy or girl.

Schedule E.

Medical examiner.	Physical examiner.
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Schedule F.

First grade—	Second grade—
Examiner.	Chief examiner.
	Stenographer and typewriter.

DEPARTMENT OF CORRECTION.

Schedule A.

Secretary.	Chaplain.
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Schedule A—Non-competitive.

Pilot.

Schedule B.

Clerks (as graded in Appendix III).	Office boy or girl.
	General bookkeeper and auditor.

Schedule D.

Part II.	Assistant engineer.
Engineer corps (as graded in Appendix III).	Supervising engineer.
Engineer.	Inspector of supplies.

Schedule E.

Physician.	Apothecary.
Matron.	Nurse.

Schedule F.

Purchasing agent.	Driver.
General storekeeper.	Engineman (stationary and marine).
Wardens of prisons and work-houses.	Foreman.
Deputy warden.	Assistant foreman.
Stenographer and typewriter.	Housekeeper.
Keepers (male and female).	Harnessmaker.
Orderlies (male and female).	Janitor.
Chef.	Master mechanic.
Captain.	Watchman.
	Messenger.

Schedule G.

Laborers (Appendix III).

DEPARTMENT OF DOCKS.

Schedule A.

Private secretary to the president.	Engineer-in-chief.
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Schedule A—Non-competitive.

Pilot.	Marine engineer.
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Schedule B.

Secretary.	Clerks (as graded in Appendix III).
Assistant secretary.	Office boy or girl.
Chief clerk.	Timekeeper.
Copyist.	
Property clerk.	

Schedule D.

Part II.	Hydrographer.
Inspector pier building.	Surveyor.
Inspector of dredging.	Part II.
Inspector of lumber.	Engineer corps (as graded in Appendix III).
Draughtsman.	Computer.
Part I.	Transitman.
Engineer corps (as graded in Appendix III).	Leveler.
First assistant engineer.	Rodman.
Assistant engineer.	Chainman.
Assistant surveyor.	Axeman.

Schedule F.

Collector.	Diver.
Stenographer and typewriter.	Doorman.
Searcher water grants.	Driver.
Superintendent of repairs.	Engineman (stationary).
Superintendent of sections.	Foreman.
Superintendent of machinery.	Janitor.
Superintendent of docks.	Keeper.
Captain of derrick.	Messenger.
Captain pile driver.	Roundsman.
Dockmaster.	Watchman.
Dockmaster's assistant.	Weighmaster.
Assistant dock superintendent.	Recreation pier attendant.

Schedule G.

Laborers (Appendix III).

BOARD OF EDUCATION.

Schedule A.

City superintendent.

Subject to non-competitive examination.

Assistant city superintendent.	| All positions in the nautical
Supervisor of special branches.		school.

Schedule B.

Chief clerk.	| Office boy or girl.	
Deputy clerk.		Chief supply clerk
Clerks (as graded in Appendix III).		Assistant supply clerk.
		Bookkeeper.

Schedule D.

Superintendent of buildings.	| Patrol building inspector.	
Deputy superintendent of buildings.		Building inspector.
Engineer's assistant.		Sanitary inspector.
Chief inspector of buildings and repairs.		Fuel inspector.
		Assistant draughtsman

Schedule E.

Surgeon.

Schedule F.

Stenographer and typewriter.	| Janitor.	
Attendance officer.		Messenger.
Weighmaster.		Driver.
Janitor (engineer).		Orderly.

Schedule G.

Laborers (Appendix III).

BOARD OF ELECTRICAL CONTROL.

Schedule A.

Secretary.

Schedule B.

Assistant secretary.	Office boy or girl.
Clerks (as graded in Appendix III).	

Schedule D.

Part II.	Third grade—
First grade—	Chief inspector.
Inspector.	Engineer.
Second grade—	Electrical expert.
Roundsman inspector.	

Schedule F.

Stenographer and typewriter.	Messenger.
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Schedule G.

Laborers (Appendix III).

BOARD OF ESTIMATE AND APPORTIONMENT.

Schedule A.

Chief clerk.

Schedule B.

Clerks (as graded in Appendix II).

FINANCE DEPARTMENT.

Schedule A.

Comptroller.	Collector of assessments and assistant.
Deputy comptroller.	Receiver of taxes and deputy.
Assistant deputy comptroller.	Cashier.
Auditor.	Collector of city revenues and superintendent of markets.
Deputy auditor.	Examiner of accounts of institutions.
Confidential clerk to comptroller.	
Paymaster.	

Schedule A—Non-competitive.

Messenger in the paymaster's office and auditing bureau.

Schedule B.

Custodian mortgages, titles, deeds, etc.	Clerk of market.
Deputy collector of city revenue.	Chief clerk to the collector of city revenue and superintendent of markets.
Register of claims.	Law clerk.
General bookkeeper.	Clerks (as graded in Appendix III).
Bookkeeper.	Office boy or girl.
Chief clerk.	
Paymaster's clerk.	

Schedule D.

Part II.	Assistant engineer.
Engineer corps (as graded in Appendix III).	Inspector.
Engineer.	Inspector of coal.
Engineer on pavements and pavement work.	Inspector of provisions.

Schedule F.

Examiner of trust account.	Stenographer and typewriter.
Examiner of interest.	Doorkeeper.
Examiner of assessment.	Messenger.
Examiner of pay-roll.	Watchman.
Examiner of coupons and claims.	Special messenger to receiver of taxes.
Examiner.	

Schedule G.

Laborers (Appendix III).

FIRE DEPARTMENT.

Schedule A.

Secretary.	Attorney and counsel.
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Schedule B.

Assistant secretary.	Bookkeeper.
Secretary of the relief fund.	Clerks (as graded in Appendix III).
Executive clerk of repairs to the building superintendent and tenement-house permits.	Cashier.
Confidential clerk.	Auditor.
	Office boy or girl.

Schedule C.

First grade—	Fourth grade—
Uniformed fireman.	Assistant chief of department.
Second grade—	Fifth grade—
Assistant foreman and foreman.	Deputy chief of department.
Third grade—	Chief of department.
Chief of battalion.	Engineer of steamer.
	Chief instructor.

Schedule D.

Part II.	Second grade—
Oil surveyor.	Chief operator.
Inspector of combustibles.	Third grade—
Mechanical engineer.	Superintendent of telegraph.
Draughtsman.	Inspectors.
Part I.	First grade—
Building superintendent.	Inspector of fire-alarm boxes.
Assistant building superintendent.	Inspector electrical wires and apparatus.
Surveyor.	Second grade—
Part II.	Assistant chief inspector.
First grade—	Third grade—
Operator and assistant.	Chief inspector.

Schedule E.

Medical officer.

Schedule F.

Fire marshal.	Driver.
Deputy fire marshal.	Engineman (stationary and marine).
Assistant fire marshal.	Foreman.
Confidential examiner.	Foreman's assistant.
Receiver of supplies.	Harnessmaker.
Purchasing agent.	Instrument maker.
Superintendent of stables.	Janitor.
Deputy superintendent of stables.	Messenger.
Stenographer and typewriter.	Weighmaster.
Messenger.	Watchman.
Boilermaker.	Stableman.
Oil collector.	

Schedule G.

Laborers (Appendix III).

HEALTH DEPARTMENT.

Schedule A.

All minor positions in the hospitals for contagious diseases.

Schedule B.

Secretary.	Clerks (as graded in Appendix III).
Chief and auditing clerk.	Office boy or girl.
Law clerk.	
Complaint clerk.	

Schedule D.

Part I.	Deputy register of records.
Attorney and counsel.	Chief inspector of contagious diseases.
Assistant counsel.	Assistant chief inspector of contagious diseases.
Sanitary superintendent.	Pathologist, and director of bacteriological laboratory.
Assistant sanitary superintendent.	
Register of records.	

Assistant director of bacteriological laboratory.	First grade—
Assistant bacteriologist.	Assistant chemist.
Assistant pathologist.	Second grade—
Sanitary inspector (medical).	Chemist.
Medical inspector.	Sanitary inspector (lay).
Chief medical school inspector.	Sanitary police.
Medical school inspector.	Inspector of fish.
Inspector burial permits.	Inspector of food.
Veterinarian.	Inspector of fruit.
Part II.	Inspector of meats.
Chief sanitary inspector.	Inspector of milk.
Chief inspector food and offensive trades.	Inspector of offensive trades.

Schedule E.

Resident physician.	Matron.
Assistant resident physician.	

Schedule F.

Stenographer and typewriter.	Laboratory attendant.
Telephone operator.	Messenger.
Captain.	Driver.
Engineman (marine and stationary).	Foreman.
Disinfector.	Assistant foreman.
Assistant disinfector.	Inspector, mercantile establishments.
Laboratory assistant.	Life savers.

Schedule G.

Laborers (Appendix III).

COMMISSIONER OF JURORS.

Schedule A.

Deputy commissioner.

Schedule B.

Chief clerk.	Clerks (as graded in Appendix III).
Enrollment clerk.	
Exempt clerk.	Office boy or girl.

Schedule F.

Assistant deputy commissioner.	Canvasser.
Stenographer and typewriter.	Process server.

LAW DEPARTMENT.

Schedule A.

Assistant to corporation counsel.	First assistant to the corporation attorney.
Attorney to the department of street improvements, Twenty-third and Twenty-fourth wards.	Second assistant to the corporation attorney.
Corporation attorney.	Chief clerk to the corporation counsel.

Schedule B.

Clerk to attorney, department street improvements, Twenty-third and Twenty-fourth wards.	Copyist.
Register clerk.	First grade—
Process clerk.	Junior law clerk.
Clerks (as graded in Appendix III).	Second grade—
	Senior law clerk.
	Office boy or girl.

Schedule D.

Part II.

Examiner.

Schedule F.

Librarian.	Messenger.
Stenographer and typewriter.	Process server.

MAYOR'S OFFICE.

Schedule A.

Secretary.	Chief clerk.
Confidential clerk.	

Schedule B.

Warrant and bond clerk.	Office boy or girl.
Clerks (as graded in Appendix III).	

Schedule F.

Stenographer and typewriter.	Second grade—
Messenger.	Second marshal.
First grade—	Inspectors, and sealers of
First marshal.	weights and measures.

DEPARTMENT OF PUBLIC PARKS.

Schedule A.

Secretary.	Landscape architect.
Private secretary to the president.	

Schedule B.

Assistant secretary.	Timekeeper.
Clerks (as graded in Appendix III).	Office boy or girl.

Schedule C.

First grade—	Third grade—
Park policeman.	Sergeant.
Second grade—	Fourth grade—
Roundsman.	Captain.

Schedule D.

Part II.	Part I.
Engineer corps (as graded in Appendix III).	Assistant engineer and draughtsman.
Draughtsman.	Entomologist.
Mechanical assistant.	Meteorologist.
Mechanical engineer.	Engineer of construction.

Topographical engineer.	Inspectors:
Architect.	First grade—
Part II.	Inspector of shops.
Axeman.	Inspector pier building.
Chainman.	Second grade—
Rodman.	Assistant general inspector.
Leveler.	Third grade—
Transitman.	General inspector.
Computer.	

Schedule F.

Superintendent, superintendent of supplies and repairs.	Engineman (stationary and ma- rine).
Director of menagerie.	Foreman.
Doorman.	Foreman's assistant.
Stenographer and typewriter.	Gardener.
Purchasing agent.	Gardener's apprentice.
Cottage attendant (male and female).	Harnessmaker.
Driver.	Janitor.
	Superintendent of the Harlem River driveway.

Schedule G.

Laborers (Appendix III).

RAPID TRANSIT COMMISSION.

Schedule A.

Secretary.	Chief engineer.
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Schedule B.

Messenger.

DEPARTMENT OF STREET CLEANING.

Schedule A.

Deputy commissioner.	Private secretary.
Superintendent.	

Schedule A—Non-competitive.

Pilot.	Supervisor of Girls' Juvenile Leagues.
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Schedule B.

Chief clerk.	Bookkeeper.
Property clerk.	Clerks (as graded in Appendix III).
Application and registration clerk.	Office boy or girl.

Schedule D.

Part II.	Tug and scow inspector.
Map clerk and draughtsman.	Dump inspector and assistant.

Schedule E.

Medical examiner.

Schedule F.

Stenographer.	Master mechanic.
Assistant superintendent.	District superintendent.
Superintendent of stables.	Stable foreman and assistant.
Superintendent of final disposition and assistant.	Section foreman.

Schedule G.

Laborers (Appendix III).

DEPARTMENT OF STREET IMPROVEMENTS, TWENTY-THIRD AND TWENTY-FOURTH WARDS.

Schedule A.

Deputy commissioner.	Chief topographical engineer and engineer of concourse.
Secretary.	Engineer of construction.

Schedule B.

Clerks (as graded in Appendix III).	Office boy or girl.
General bookkeeper.	Timekeeper.

Schedule D.

Part II.	Part I.
Engineering corps (as graded in Appendix III).	Fourth grade—
Topographical engineer.	Assistant engineer.
Mechanical engineer.	Part II.
Draughtsman.	Axeman.
Mechanical draughtsman.	Chainman.
Inspector regulating, grading and paving.	Rodman.
Inspector sewers, connections, etc.	Leveler.
	Transitman.
	Computer.

Schedule F.

General superintendent of maintenance.	General inspector.
Superintendent of maintenance.	Messenger.
Assistant superintendent of maintenance.	Pruner.
Engineman (stationary, marine and steam roller).	Stenographer and typewriter.
	Watchman.

Schedule G.

Laborers (Appendix III).

BUREAU OF STREET OPENINGS.

Schedule A.

Assistant to corporation counsel.

Schedule B.

General bookkeeper.	Clerks.
Clerk to bureau of street openings.	

Schedule F.

Computer of accounts.	Stenographer and typewriter.
Searcher.	

Schedule G.

Laborers (Appendix III).

DEPARTMENT TAXES AND ASSESSMENTS.

Schedule A.

Secretary.

Schedule B.

Accountant.

Clerks (as graded in Appendix
III).

Office boy or girl.

Assistant secretary.

Schedule D.

Part I.

Deputy commissioner.

Engineering corps (as graded in
Appendix III).

Assistant surveyor.

Surveyor.

Part II.

Draughtsman.

Schedule F.

Assistant to commissioner.

Stenographer and typewriter.

Assessor.

DEPARTMENT OF PUBLIC WORKS.

Schedule A.

Deputy commissioner.

Consulting engineer.

Chief engineer.

Cashier.

Assistant cashier.

Water register.

Secretary.

Engineer in charge of sewers.

Stenographer to the commis-
sioner.

Schedule B.

Chief clerk.

General bookkeeper.

Clerks (as graded in Appendix
III).

Timekeeper.

Office boy or girl.

Schedule D.

Part II.

Engineering corps (as graded in
Appendix III).

Map clerk.

Draughtsman — Topographical
and mechanical.

Mechanical engineer.

Hydraulic engineer.

Part I.

Engineering corps:

Assistant engineer.

Topographical engineer.

Assistant engineer in charge of
sewers.

Part II.

Axeman.

Chainman.

Rodman.

Leveler.

Transitman.

Inspectors:

First grade—

Inspector of making pipes.

Inspector of making hy-
drants.

Inspector of masonry.

Inspector of laying pipe.

Inspector of construction.

Inspector of bureau of incum-
brances.

Inspector of lamps and gas.

Inspector of vaults and areas.

Inspector of paving, regulat-
ing and grading (engineer).

Inspector of meters and
water consumption.

Inspector of cement.

Inspector of sewer connec-
tions.

Inspector and weigher of
coal.

Inspector of openings in
highways.

Second grade—

Assistant general inspector.

Third grade—

General inspector.

Schedule F.

Superintendent of lamps and
gas.

Superintendent of incum-
brances.

Superintendent of streets and
roads.

Superintendent of repairs and
supplies.

Superintendent of street im-
provements.

Examiner of complaints.

Stenographer and typewriter.

Measurer.

Bath attendant (male and fe-
male).

Engineman.

Gardener.

Foreman.

Assistant foreman.

Janitor.

Keeper (on aqueduct).

Messenger.

Patrolman on aqueduct.

Rockman.

Watchman.

Schedule G.

Laborers (Appendix III).

SINKING FUND COMMISSION.

Schedule F.

Stenographer and typewriter.

COURT OF SPECIAL SESSIONS.

Schedule B.

Chief clerk.	| Assistant clerks.
Deputy clerk.	| Subpoena clerk.

Schedule F.

Court stenographer.	| Interpreter.
Stenographer and typewriter.	| Attendant.
Messenger.	|

CITY MAGISTRATES' COURTS.

Schedule B.

Police clerk.	Assistant police clerk.
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Schedule F.

Stenographer.	Interpreter.
Attendant.	

DISTRICT CIVIL COURTS.

Schedule B.

Assistant clerk.

Schedule F.

Court stenographer.	| Interpreter.
Attendant.	| Janitor.

Regulations for the Civil Service of the City of Rochester.

CITY OF ROCHESTER, MAYOR'S OFFICE.

The following regulations for the conduct of the Civil Service of the city of Rochester are hereby prescribed and established, pursuant to law; subject to the approval of the New York State Civil Service Commission.

GEORGE E. WARNER, *Mayor*,

Dated, September 20, 1897.

CIVIL SERVICE COMMISSION OF THE CITY OF ROCHESTER.

REGULATION I.

Appointments and promotions in the Civil Service of the city of Rochester shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive.

REGULATION II.

For the purpose of enforcing the Civil Service laws of the State, and these regulations, the mayor shall appoint, and may at pleasure remove, seven residents of the city of Rochester, not more than five of whom shall be members of the same political party, and none of whom shall hold any other municipal office (except that of commissioner of deeds), who shall constitute the Civil Service Commission of the city of Rochester. Each Commissioner shall, before entering upon the discharge of his duties, take and file with the city clerk an oath in the general form prescribed for other city officers. The mayor shall designate one of the Commission to act as secretary, and the Commissioners shall choose from their own number a chairman, to act during their pleasure.

It shall be the duty of the Commission to conduct all examinations held under these rules to ascertain the merit of candidates

for the service of the city, in respect to physical qualifications, character, knowledge and ability; and for that purpose they may employ experts and special examiners to estimate and determine the relative excellence or standing of the persons examined, and to certify the same as herein prescribed.

The Commission may require the superintendent of police to investigate and report to the Commission the character and habits of applicants for positions in the municipal service.

The secretary shall keep minutes of meetings of the Commission, records of applications, examinations and standings, eligible lists, and complete records of all persons employed in the municipal service, and of all appointments, promotions, dismissals resignations and changes therein; and shall perform such other services as may be required by the Commission or the mayor.

The Commission may, from time to time, temporarily employ necessary clerical assistance; and may, with the consent of the mayor, appoint from the eligible lists a clerk and a stenographer, and fix their salary.

The mayor shall fix the compensation of the Commissioners, and the additional compensation of the secretary.

REGULATION III.

The Civil Service of the city of Rochester is hereby classified as follows: Schedules A, B, C.

Schedule A shall include: Officers elected by the people; subordinates who, by virtue of their offices, have personal custody of public moneys or securities, for the safe keeping of which the head of the office is under official bonds; corporation counsel and his assistants, overseer of the poor, auditor, police commissioners, board of health, Civil Service Commissioners and secretary, city engineer, superintendent of schools, principals and teachers in the public schools, assessors, chief engineer of water works, park commissioners, examining board of plumbers, board of examiners of stationary engineers, board of examiners of midwives.

Schedule B shall include all officers and employes above the grade of laborers, not included in Schedule A.

New positions created in any department shall be included in Schedule B, unless otherwise classified by the Commission.

Schedule C shall include laborers.

In case of an epidemic or other similar exigency, seriously endangering the public health, the proper department may, with the written approval of the mayor, appoint, without examination, such physicians or other experts, and inspectors, as may be necessary. Such employment shall continue only during the existence of such epidemic or other emergency.

REGULATION IV.

Appointments to positions in Schedule A may be made without examination but the appointing officer shall, within ten days after making any such appointment, file with the Commission a formal notification thereof, in writing, setting forth the full name of the person appointed; date and place of birth; length of residence in Rochester; nature of previous employment; term for which appointed; a specific description of the duties of the position; name of the person in whose place appointed; whether ever before in official service, and if so, when and where; and such other statistical information as the Commission may require for registration.

Whenever any officer or employe shall be dismissed, the officer, board, or department ordering the dismissal shall, within five days, certify the fact to the Commission. If the person dismissed is entitled to a hearing before such dismissal, a statement of the reasons for his dismissal shall accompany such certificate; otherwise the cause of dismissal may be stated or not, at the option of the officer, board, or department directing the dismissal.

It shall at all times be the duty of every officer, board, and department of the city government to furnish the Commission with such statistical information as the Commission may require.

REGULATION V.

Every vacancy in Schedule B, not filled by promotion shall be filled by selection from those who have passed highest in open, competitive examinations.

REGULATION VI.

All examinations for positions in Schedule B shall be open to general competition, subject to such limitations of age or physical qualifications as may be prescribed by these regulations.

Applications for positions included in Schedule B must be in the handwriting of the applicant, upon blanks furnished by the Commission, and addressed to the "Secretary of the Civil Service Commission, Rochester, N. Y.," and must furnish the following information, verified by the affidavit of the applicant; the full name of the applicant; the position which he seeks; his residence, stating street and number; whether he is a citizen of the United States, and if naturalized, stating date and place of naturalization; place and date of birth; whether he has ever been employed in the public service of the city of Rochester, or elsewhere in the United States, and if so, the position he has filled, and the reason for his leaving the service; his business or employment during the last preceding five years; his education fitting him for the position he seeks; whether he is an honorably discharged soldier or sailor from the army or navy of the United States in the late civil war; whether he has ever been convicted of a criminal offense, or of a violation of any city ordinance.

Persons claiming to have been honorably discharged from the military or naval service of the United States in the late war, will be required to submit certificates of such discharge, or to furnish such other evidence thereof as may be deemed necessary by the Commission.

Every application must be accompanied by the certificates of not less than three nor more than five reputable citizens of Rochester, none of whom shall be officers or employes of the city, each certifying that he has been personally acquainted with the applicant for at least one year, and believes him to be of good moral character, of temperate and industrious habits, and in all respects fit for the service he wishes to enter; and that each of them is willing that the certificate be published, and that he will answer such detailed questions upon the subject of the applicant's character and fitness as may be addressed to him by the Commission.

If the applicant reside elsewhere than in the city of Rochester, two of the persons making such certificate may be residents of the same place as the applicant.

The Commission may, in its discretion, require applicants to furnish a certificate of a practicing physician in good standing, that he has examined the applicant and found him free from any disease or physical defect that would impair his ability to render good service to the city; and also such other papers and certificates as the Commission may deem necessary.

Defective applications will be suspended, and applicants notified to amend the same, but no such notice will be given or opportunity granted a second time.

The Commission shall not receive or consider any communication concerning the qualifications or merit of any applicant, except such certificates as are required to form part of the application, and such communications as may be invited by way of verification of statements made by applicants; and any others will be regarded as an unwarrantable interference with the enforcement of the law.

REGULATION VII.

Public notice shall be given of all competitive examinations by advertisement, for at least three consecutive days, in not less than two newspapers printed in the city of Rochester. Such notice shall state the positions for which examinations will be held, and the time and place of holding the same, and shall state the latest day for filing applications therefor.

REGULATION VIII.

Applications shall be numbered in the order in which they are filed, and until the applicants have been examined and rated, they shall be known by the numbers placed upon their applications. Proper means shall be adopted by the Commission in the conduct of the examinations to prevent the name or identity of any of the applicants from becoming known to any of the examiners. No applicant shall place his name upon any paper given him or submitted by him at an examination or otherwise mark any such

paper in such a way as to disclose his identity; and a violation of this rule shall be sufficient reason for rejecting the papers of an applicant, or for giving him a reduced rating, as in the judgment of the Commission may seem proper.

Any Commissioner who shall improperly disclose any of the questions for an examination, or who shall be guilty of any fraudulent or improper practice as such Commissioner, shall at once be removed by the mayor.

REGULATION IX.

§ 1. No person who has entered upon an examination shall be permitted to take another examination for the same position within one year from the date of the first examination, except by a vote of the Commission, and for a sufficient reason, to be entered upon the minutes.

§ 2. No applicant who fails to appear, after having been properly notified of an examination, shall be permitted to enter upon a subsequent examination, without filing a new application, unless his absence shall be excused by the Commission.

REGULATION X.

§ 1. The subjects of examinations and the questions to be propounded shall be in the discretion of the Commission, and shall be practical in their character, and shall relate to those matters which shall fairly test the intelligence, competency, and qualifications of the applicants to discharge the duties of that service to which they seek to be appointed.

§ 2. Examinations shall be held whenever, in the judgment of the Commission, the service requires.

§ 3. All papers submitted by applicants at an examination shall be rated upon a uniform basis by the Commission, or by experts employed for that purpose. The concurrence of a majority of the Commission shall be necessary for the rating of any applicant. No paper which has been once rated shall be re-rated, except for a sufficient reason, and upon a vote of the Commission, to be entered in the minutes.

§ 4. Examination papers shall be rated on a scale of fifty, and the subjects therein shall be given such relative weights as the Commission may prescribe.

The minimum standing required of every applicant upon a competitive examination for merit shall be thirty-five per centum, and no person who fails to attain that standing shall be placed upon any eligible list. The maximum standing shall be fifty per centum.

REGULATION XI.

Section 1. The ratings upon all the present eligible lists of the Civil Service Commission shall be divided by two. The result will be the new ratings for merit required by section 1 of chapter 428 of the Laws of 1897.

§ 2. Whenever any appointing power shall, pursuant to the authority conferred by the statute, designate the Civil Service Commission to conduct the examination for fitness, and the Commission shall accept such designation, the ratings on existing eligible lists shall be deemed to be for both merit and fitness, and shall remain unchanged.

§ 3. Whenever the Civil Service Commission shall be authorized to conduct examinations for fitness in any department after the present eligible lists expire or are exhausted, such examination for fitness may be held at the same time as the examination for merit.

The papers on such examination for fitness shall be rated in the same way as those on the examination for merit. The minimum standing required of every applicant upon any examination for fitness shall be thirty-five per centum, and no person who fails to obtain that standing shall be placed upon any eligible list.

The rating obtained upon the examination for fitness shall be added to the rating for merit, and the result will be the rating of the applicant for merit and fitness.

REGULATION XII.

Section 1. Whenever any appointing power shall desire to conduct an examination for fitness, it shall notify the Commission in writing, stating the position or positions for which the examination is to be held, and the secretary shall thereupon certify to such appointing power the entire list, for the position or positions named, of those persons who have passed the examination for merit.

§ 2. The appointing power, or the person or board, other than the Civil Service Commission, designated to conduct the examination for fitness shall, before holding such examination, notify in writing by mail each of the persons so certified by the secretary, of the time and place of the examination, at least two days before such examination shall be held.

REGULATION XIII.

Section 1. The questions and answers in every examination conducted by the appointing power, under the provisions of section 2 of chapter 428 of the Laws of 1897, shall be either in writing or taken down stenographically and then reduced to writing.

§ 2. The questions put and the answers thereto of every applicant, with the rating of the appointing power, shall be certified to the secretary of the Civil Service Commission, who shall at once prepare eligible lists, by adding the ratings for fitness to the ratings for merit; and certifications shall be made from the eligible lists so prepared as hereinafter provided by these regulations.

REGULATION XIV.

No question in any examination for merit or fitness shall call for the expression or disclosure of any political or religious opinion or affiliation, and if such opinion or affiliation be known, no discrimination shall be made by reason thereof by the examiners or the appointing power.

REGULATION XV.

Any applicant asserting that in the examination for fitness, the requirements of section 4 of chapter 428 of the Laws of 1897 have been violated, or that the examination has been conducted in violation of these regulations, or that any unfair practices have been resorted to, shall have the right of appeal to the Civil Service Commission, which shall hear and determine the same, after notice to the appointing power and the person aggrieved.

Upon such appeal, the Civil Service Commission shall have the right to set aside the examination in whole or in part, or to reject the rating of any particular applicant who has been guilty of or has profited by any unfair practice.

REGULATION XVI.

§ 1. As soon as possible after each examination for merit and fitness, the Commission shall prepare lists of persons eligible for appointment, making, so far as possible, a separate list for every position in the public service. The successful applicants shall be placed upon the eligible lists in the order of their standing upon the examination, except that persons who have made satisfactory proof that they were honorably discharged from the military or naval service of the United States in the late war, shall be placed at the head of their respective lists in the order of their standing.

When two or more persons have the same rating, precedence upon the eligible list shall be determined by the order in which their applications were filed.

§ 2. The name of every applicant placed upon an eligible list shall remain thereon for two years from the date of his examination, unless he shall be sooner appointed, or his name shall be withdrawn or stricken from the list, as herein provided. New lists shall be prepared after each examination, and persons qualified upon an earlier examination shall have no preference over those standing higher in a later examination.

§ 3. After two years from the date of an examination, the eligible list prepared as the result of such examination shall become void and of no effect, unless extended by a vote of the Commission.

§ 4. The eligible lists shall be kept in the custody of the secretary of the commission, and shall be public records.

§ 5. It shall be the duty of the secretary, after the date of an examination shall be fixed by the Commission, to notify in writing, by mail, every applicant who has filed an application for the examination appointed to be held, informing him of the time and place of the examination.

§ 6. As soon as possible after each examination, the secretary shall, in writing, by mail, notify every person examined, whether he has passed the examination, and if so, his rating.

§ 7. After the applicant shall have been notified of the result of his examination, he shall be permitted, at any convenient time, to examine his papers, in the office of the Commission, and in the presence of a Commissioner, for the purpose of satisfying himself that his papers have been properly rated; but he shall not be permitted to make any alteration in such papers, or to remove them from the office of the Commission.

All applications and examination papers shall be preserved by the Commission for at least two years.

REGULATION XVII.

§ 1. When a vacancy shall occur in a position in Schedule B, which, in the opinion of the appointing power, should be filled, and whenever a position within Schedule B shall be created, the appointing power shall, unless the vacancy is filled by promotion as herein provided, inform the Commission of the vacancy, and request a certification to fill the same.

§ 2. The requisition for certification shall be made by the appointing power, or by an officer or committee authorized by the appointing power to make requisitions, and shall be upon a blank form furnished by the Commission. The requisition shall state

the position in which the vacancy exists, the number of appointments actually intended to be made, and that it is the intention to make such appointments. Upon receiving such a requisition, the Commission shall, as soon as practicable, certify to the appointing power the appropriate eligible list, indicating the persons, if any, who have been honorably discharged from the military or naval service of the United States in the late war.

§ 3. Such certification shall be upon a blank form, prepared by the Commission, and shall state the rating of the persons certified; and a copy or a duplicate of the certification shall be retained among the records of the Commission.

§ 4. Appointments must be made from the eligible lists in the order of the combined rating of each candidate; the preference being given to veterans to which they are entitled by the Constitution and statutes.

§ 5. No person appointed pursuant to these regulations shall be required to submit to further examination for the place to which he has been appointed, and if appointed for a definite term, may be reappointed to the same position without re-examination, provided he has remained continuously in the employ of the city in the same position. In the case of employments which are not in their nature continuous, as inspectors of public improvements, a person who has been once duly appointed, shall be deemed to have been continuously in the employ of the city when not more than one year shall have elapsed since he last rendered actual service in the position to which he was appointed.

REGULATION XVIII.

§ 1. Every appointment shall be for the probationary term of three months, and if, at the end of such term, the conduct, capacity and fitness of the appointee are satisfactory to the appointing power, his retention in the service shall be equivalent to his absolute appointment; but if his conduct, capacity or fitness be not satisfactory he may be discharged at any time. If an appointee be dismissed during the probationary term, or at any

time thereafter, the officer, board or department directing the dismissal shall forthwith notify the Commission thereof, with the reasons therefor.

§ 2. Where the employment of a person, appointed pursuant to certification, terminates because the work on which he is engaged is suspended or completed, and the head of the department shall so certify to the Commission, and shall further certify that such person has faithfully and satisfactorily performed the duties of his position during his employment, such person shall thereupon be restored to the eligible list from which he was appointed, in the same place that he before held upon the list, and shall thereafter be certified for appointment in all respects as if he had not before been certified, and shall remain upon such list during the life thereof, as hereinbefore provided.

§ 3. Upon receiving a probationary appointment, the applicant shall be suspended from the eligible list from which he was certified, and when the appointment shall become permanent, his name shall be stricken from that list.

§ 4. A person appointed to a position shall nevertheless be entitled to be certified from any other list upon which his name appears, unless he shall notify the Commission, in writing, that he does not desire any other certification, in which case his name shall be stricken from all other eligible lists.

§ 5. No person shall be suspended temporarily from any eligible list at his request, but any person may withdraw his name from an eligible list, and in such case he shall not be restored to the list, except after another regular, competitive examination, unless the Commission, for a satisfactory reason, to be stated in the minutes, shall otherwise order. The withdrawal and restoration of names for the purpose of permitting persons lower upon the lists to be certified for appointment shall in no case be tolerated.

§ 6. No person shall be certified for any position for which he has not applied and been examined, whether such position be higher or lower than the particular one for which the applicant has applied; except that when an eligible list contains an insuffi-

cient number of names, or has become exhausted, the Commission may certify from another list prepared for a position analogous to that of the position to be filled, and the examination for which was similar to that for the particular position in which the vacancy exists.

§ 7. The Commission may, in its discretion, authorize the secretary to make certifications upon proper requisition.

§ 8. Whenever a person upon an eligible list shall decline to accept an appointment to a position, permanent in its nature, and upon request of the Commission shall fail to explain such declination satisfactorily, his name shall be stricken from the list from which he was certified.

§ 9. No person dismissed from the service for misconduct shall be admitted to any examination within two years after the date of dismissal.

§ 10. Any person whose character, reputation or habits shall, after notice to such person and a public hearing by the Commission, be proved to the satisfaction of the Commission to be such as to unfit him for the public service, and every person who has been guilty of any fraudulent practice upon any examination, or who has made any statement in his application, or who has been or shall be convicted of any crime, shall be stricken from the eligible lists, and if appointed, shall be removed from office.

XIX.

Police Department.

All applicants for appointment to positions in the police department, except for the position of matron, must have the following special qualifications:

First. They must have been citizens of the United States and residents of Rochester at least four years next prior to the date of their application.

Second. They must be not less than twenty-three and not more than thirty years of age.

Third. They must be not less than five feet nine inches in height, and their weight and chest measurement must be certi-

fied by the examining surgeon to conform to height according to the following table:

	Weight must not be less than	Average chest measurement to be not less than the following, and to have expansion of at least 3 inches
	Pounds.	Inches.
For height of 5 ft. 9 in.	145	37
For height of 5 ft. 10 in.	150	37½
For height of 5 ft. 11 in.	155	38
For height of 6 ft.	160	38½
For height of 6 ft. 1 in.	165	39
For height of 6 ft. 2 in.	170	39½
For height of 6 ft. 3 in.	175	40

Fourth. They must not have been engaged or interested in the sale of, or traffic in, intoxicating liquors within three years next prior to the date of their application.

Fifth. They must be free from any physical defect, deformity or disease, and must, before being admitted to examination, be certified by the police surgeon to be physically qualified for the service; and the report of such surgeon shall be made to the Commission upon a form prepared by the Commission.

No person whose standing in physical qualifications is less than ninety per centum shall be admitted to examination.

XX.

Fire Department.

All applicants for appointment to positions in the fire department must have the following special qualifications:

First. They must have been citizens of the United States and residents of Rochester at least two years next prior to the date of their application.

Second. They must be not less than twenty-one nor more than thirty years of age.

Third. They must not be less than five feet six and one-half inches in height, and their weight and chest measurement must

be certified by the examining surgeon to conform to height according to the following table:

	Weight must not be less than	Average chest measurement to be not less than the following and to have expansion of at least 3 inches
	Pounds.	Inches.
For height of 5 ft. 6½ in	133	34
For height of 5 ft. 7½ in	137½	35
For height of 5 ft. 8 in	140	36
For height of 5 ft. 9 in	145	37½
For height of 5 ft. 10 in	150	37
For height of 5 ft. 11 in	155	38
For height of 6 ft	160	38
For height of 6 ft. 1 in	165	39½
For height of 6 ft. 2 in	170	39½
For height of 6 ft. 3 in	175	40

Fourth. They must be free from any physical defect, deformity, or disease, and must, before being admitted to examination, be certified by the police surgeon to be physically qualified for the service; and the report of such surgeon shall be made to the Commission upon a form prepared by the Commission.

No person whose standing in physical qualifications is less than ninety per centum shall be admitted to examination.

XXI.

Section 1. No vacancy in any position in the classified service of the city of Rochester shall be filled by original appointment by certification from the eligible list whenever there is in the office where the vacancy exists any person holding an inferior position who is fit, meritorious, and willing to be promoted and so certified as hereinafter stated: Provided that the position to be filled by promotion does not in the opinion of the Commission involve qualifications essentially different from or higher than those required for original entrance to the position held by the person wishing to be promoted.

§ 2. Promotion shall in all cases be based upon positive merit and fitness of the person promoted and upon his superior qualifica-

tions as shown by his previous service, due weight being given to seniority.

§ 3. It shall be the duty of the department in which a vacancy exists to notify all persons who have for at least six months filled an inferior position in the same department, that there will be a competitive examination for promotion; and immediately thereafter certify to the Commission that such notice has been given to all persons entitled thereto under these regulations.

§ 4. Within five days after receiving notice of such examination all persons holding inferior positions in the department in which the vacancy exists, so to be filled by promotion, who have occupied such inferior positions for at least six months, and who desire to take such examination for promotion, shall notify in writing the head of the department of their intention so to do.

It shall be the duty of the officer or officers constituting the appointing power in the department in which a vacancy exists to be filled by promotion to make and forward to the Commission their certificate as to the efficiency, character and conduct of every person who desires to become an applicant for such promotion, together with such other statements bearing upon the fitness of such person or persons or promotion as the officers so certifying shall deem proper; and all such certificates and information shall be deemed confidential and shall not be disclosed. Such certificate shall be accompanied by a copy of the record, if any has been made, of all such applicants.

The fitness of such applicants shall be rated by the Commission in accordance with the certificates concerning their efficiency, character, trustworthiness and good conduct upon a scale of fifty per centum. The merit of the applicants as determined by the result of the competitive examination shall be rated upon a scale of fifty per centum and the applicants shall be graded according to the standing ascertained by combining the per centum given for fitness with that given for merit and no person whose combined standing is less than eighty-five per centum shall be certified for promotion.

§ 5. Certifications for promotion shall be made in like manner as for original appointment, except that no requisition therefor

shall be necessary, and such certification shall be made as soon as possible after the ratings of the applicants shall have been made.

XXII.

Laborers.

Section 1. After the first day of January, 1898, no person shall be employed as a laborer by the city of Rochester, or any officer, board, or department thereof, except upon certification as herein provided.

§ 2. All persons seeking employment as laborers shall apply for registry for such employment to the secretary of the Civil Service Commission, who shall thereupon deliver to the applicant, or mail to the address given by him, an application blank of such form as shall be prescribed by the Commission, calling for the name, age, residence, and citizenship of the applicant, the number and relationship of the persons dependent upon him for support, his previous occupation, his service, if any, in the army or navy of the United States in the late war and the date of his honorable discharge therefrom and proof thereof, and also a certificate of character, to be made by two reputable residents of Rochester, vouching for his sobriety, trustworthiness, industry, and capacity for labor in the employment for which he seeks to be registered.

§ 3. Upon receiving such application duly filled out and signed by the applicant with his name or mark, together with such certificate of character duly executed, the secretary shall file the application, marking thereon the date of its receipt and its number, and shall enter the same in the application book, and shall give written notice by mail to the applicant, stating the time and place of his examination for registry, as hereinafter provided, at which time and place the Civil Service Commission, or such examiners as it may select, shall in such manner as the Commission shall prescribe, make inquiry regarding the residence, citizenship, character, physical condition, family, previous occupation, and military service of the applicant, and ascertain and determine whether he is qualified for the employment sought, and the rating thereupon made shall be recorded.

§ 4. Any willfully false statement or fraudulent conduct on the part of an applicant shall disqualify him for registration. Any applicant who fails to report for examination shall lose his registration number, and shall be required to file a new application.

§ 5. For any other service than that of common laborer, the candidate may be required to produce a certificate from a competent person or persons of his ability to do the special kind of work for which he desires to be certified.

§ 6. All applicants determined to be qualified for the employment sought shall be registered in the order of their application in the labor register, to be kept by the secretary. This register shall subdivide such applicants according to the kind of labor, skilled or unskilled, for which they are determined to be qualified.

§ 7. No person shall be eligible for appointment for a longer period than two years from the date of his or her latest physical examination. To determine continued eligibility, physical examinations of those already registered shall be held, according to the needs of the public service. When such re-examination is to be held, each person to be examined shall be notified by mail in the order of his or her registration number, to report upon a fixed day and hour for examination. The names of all who do not report for such examination shall be stricken from the eligible list. The name of each person found qualified shall be retained upon the registration list, in the order of his or her original registration.

§ 8. Whenever the services of laborers or other employes included in Schedule C are required in any department of the city service, the officer of such department, duly authorized, shall make a written requisition upon the secretary of the Civil Service Commission, stating the number of persons required, whether skilled or unskilled, and the particular kind of labor, and the time and place of employment. Upon receiving such requisition, the secretary shall, under the direction of the Commission, certify to such officer from the registry the names of as many persons as there are vacancies to be filled, with the addition of two names for every ten vacancies, if the registry contain so many, stating as to each name the registration number, residence, and kind of labor for

which he has been determined to be qualified, and giving such other information as the Commission may direct.

In making such certification the secretary shall certify in the order of registration:

First.—Veterans with families dependent upon them for support.

Second.—Other veterans.

Third.—Persons, not veterans, with families dependent upon them for support.

Fourth.—Other persons.

From the number of persons so certified, the officer making the requisition shall select the number required and report to the secretary, within ten days from the date of certification, the names, registration numbers and addresses of the persons so selected; provided, however, that whenever the officer who made the requisition for a certain number shall employ a smaller number, he shall not make the selection therefor from the whole number certified to him, but only from that number of names standing first upon the list that would have been certified to him, had the requisition stated the number of vacancies which he actually filled.

§ 9. Any person not selected shall remain upon the registry, and any persons shall, if they so request, be restored to the registry in the order in which they originally stood thereon upon the termination of the employment, unless the employment has been terminated by the failure to work, incompetence or physical or moral disqualifications of the employe. In the case of every employe, the department of the city service employing him shall forthwith report, on a form prepared and furnished by the Civil Service Commission for that purpose, the date of such termination and the reason therefor, and the substance of such report shall be entered upon the registry against the name of such employe. No employe whose employment is terminated for the reason of failure to work, incompetence or physical or moral disqualification shall be restored to the registry or be again eligible for registration, until the expiration of six months from the date of such termination, and then only

upon furnishing to the Commission satisfactory excuse for his failure to work and satisfactory evidence that incompetence or physical or moral disqualification for the employment for which he seeks to be registered does not exist.

§ 10. No laborer or other employe whose employment is classified in schedule C shall be detailed to perform the duties appertaining to any position or be appointed or promoted to any position classified in any other schedule, except in accordance with these regulations.

XXIII.

All appointments and promotions in any department of the municipal service made in violation of these rules shall be void, and the persons so illegally appointed shall receive no compensation for their services.

It shall be the duty of all officers preparing pay rolls and of the auditor and other officers reviewing the same, and of all officers drawing checks and warrants for salaries or wages, to reject the names of and refuse payment to all persons holding any employment in violation of these rules; and it shall be the duty of all such officers to ascertain the legality of the appointments of all persons in the service of the city of Rochester by reference to the records of the Commission.

XXIV.

No person shall be appointed health officer or medical inspector, or to any other position requiring a technical knowledge of medicine or surgery, unless he shall be duly authorized by the laws of the State to practice medicine and surgery.

No person shall be appointed chemist or bacteriologist unless he shall have received the degree of bachelor of sciences or its equivalent from some institution duly authorized by law to confer such degree.

No person shall be appointed veterinary surgeon, unless he shall be duly authorized by the laws of the State of New York to practice veterinary surgery.

XXV.

It shall be the duty of the Commission at the beginning of every calendar year to prepare a civil list of Rochester for the year, which list shall contain the name of every person, except laborers, in the employ of the city, or receiving compensation from the city, together with the title of his office or position, the salary or compensation paid, whether the office is elective or appointive, by whom the appointment is made, the duration of the term, if any, of the office, the length of the incumbent's service in the office or position, and a brief statement of the duties of the office.

The civil list shall be filed in the office of the Commission as one of its records. Every appointment or promotion made after the preparation of the civil list shall be immediately entered thereon and every death, resignation or removal shall be noted thereon.

No payment of salary or compensation shall, after the 1st of February, 1898, be made to any person, unless his name shall appear upon the civil list.

XXVI.

No person in the public service is for that reason under any obligation to contribute to any political fund, or to render any political service, and no person shall be removed or prejudiced for refusing so to do.

Assessments for political purposes upon persons in the public service are prohibited, and any officer or employe who makes, or suffers any other person to make, such an assessment upon any employe of the city, shall be removed from office.

No person in the public service shall use his official authority or influence to coerce the political action of any person or body, and a violation of this rule shall be sufficient cause for removal.

XXVII.

The Civil Service Commission shall have power to make and enforce rules consistent with law and these regulations for the practical operation of the system adopted and prescribed by these regulations.

The Civil Service Commission shall have power to summon witnesses, require the production of books and papers, and administer oaths in the conduct of any investigation authorized by law or these regulations.

STATE OF NEW YORK,

OFFICE OF NEW YORK CIVIL SERVICE COMMISSION,

ALBANY, *November 11, 1897.*

The foregoing Civil Service Regulations for the city of Rochester, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

CLARENCE B. ANGLE,

[L. s.]

Secretary.

Civil Service Regulations of the City of Schenectady.

Civil Service Examining Board.—E. H. Winans, A. M. White, R. G. Brooke, Win. S. Rowe, Secretary.

Pursuant to the statutes of this State to regulate and improve the Civil Service thereof, the Civil Service Examining Board of the city of Schenectady hereby prescribe the following regulations for the admission of persons into the public service of the city of Schenectady to take effect from the date of their approval by the New York Civil Service Commission:

DEFINITION OF THE CIVIL SERVICE, AND ITS DIVISIONS.

REGULATION I.

1. These regulations shall apply to all positions in the public service of the city of Schenectady with the following exceptions required by the statutes, namely:

First.—Officers elected by the people, viz.:

Mayor, recorder, treasurer, police justice, three assessors, two justices of the peace, three commissioners of police, to be elected by the city at large; and one supervisor, three aldermen, two commissioners of common schools, one constable, to be elected in each ward or election district.

2. The civil service of the city of Schenectady shall be divided into the unclassified service and the classified service.

3. The unclassified service shall comprise the head or heads of any department of the city government, viz.:

1. Officers appointed by the mayor.

2. Officers elected by the common council of said city, viz.: Three water commissioners, six members of the board of health, a city clerk, a city marshal, a city attorney, a city physician, a city printer, a chief engineer and two assistant engineers, a city surveyor, overseer of the poor, a board of magistrates, pound master, commissioners of deeds, lamp lighters, firemen, city measurer, fence viewer.

3. Persons employed in the educational department of the city.

4. The classified service shall include all clerks, copyists, recorders, stenographers, bookkeepers and others rendering clerical services and not included in section one, and all policemen, firemen, messengers, orderlies, court attendants, guards and keepers in jails and prisons, and all persons employed or appointed in the public service and not specially included in sections one and three, viz.: Chief of police, assistant chief of police, sergeant of police, clerk of the board of excise, superintendent of the board of water commissioners, and engineers and firemen to that board, superintendent of hose, superintendent of streets, superintendent of sewers, sealer of weights and measures.

GENERAL PROVISIONS.

REGULATION II.

1. The violation of any of the provisions of the civil service acts or of these rules by any person in the civil service of the city of Schenectady, N. Y., shall be considered a good cause for the dismissal of such person from the service.

2. No person in the civil service of the city of Schenectady, N. Y., shall use his official authority or influence to coerce the political action of any person or body, or shall dismiss or cause to be dismissed, or make any attempt to procure the dismissal of, or in any manner change the official rank or compensation of any person in such service because of his political or religious opinions or affiliations.

3. No question in any examination or proceeding shall call for the expression or disclosure of any partisan political opinion or affiliation of any person whatever, nor shall any discrimination be made by reason thereof, and the examiners shall discountenance all disclosure before them of such partisan opinion or affiliation by or concerning any applicant for examination, or by or concerning any person on any register awaiting appointment or employment in the selection, nomination or appointment of persons to fill positions in the public service, no regard shall

be paid to the partisan political opinions, affiliation or action of any person so selected, nominated, appointed or promoted.

4. No person in the public service is for that reason under any obligations to contribute to any political fund or purpose or to render any political service, and no person shall be removed or otherwise prejudiced for refusing so to do.

5. In making removals or reductions or in imposing penalties for delinquency or misconduct, penalties like in character shall be imposed for like offences, and action thereon shall be taken irrespective of the political or religious opinions or affiliations of the offenders.

6. For the purpose of ascertaining the qualifications of persons seeking or named for positions in the departments and offices of municipal government to which these regulations apply there shall be a Board of Examiners, composed of three citizens of the city of Schenectady, N. Y., designated by the mayor, and not more than two of whom belong to the same political party. The mayor may at any time substitute another citizen in the place of any one so designated, by filing with the city clerk a written notification of such change, and will detail or employ a clerk who shall act as the secretary of the Examining Board. It shall be the duty of such board of examiners to conduct all examinations called for under these regulations, to ascertain the standing of candidates for the service of the city, in respect to merit for the branch of the service which they seek to enter, and to estimate and determine the relative excellence or standing of the persons examined, and to certify the same in such manner and form as may be prescribed. Whenever the special qualifications required for a position are of an expert or professional character, the mayor will give to the examining board such advice and assistance from competent sources as may be expedient and available. The Secretary of the Board shall keep the minutes of the proceedings and all necessary records of applicants, their examinations and standings, and a complete record of all persons employed in the several departments to which these rules apply, and of all appointments, promotions, dismissals, resignations and

changes of any sort therein, which information shall be furnished within five days by the different persons or boards holding the appointing power. When not in attendance upon the examining board, the secretary may act under the direction of the mayor.

APPOINTMENT TO POSITIONS.

REGULATION III.

1. No person shall be appointed to or employed in any position in the classified service until he shall have passed the examinations for merit and fitness as provided therefor or unless the position to which he is appointed is especially exempt from examination under the provisions of these rules.

2. Appointments may be made to unclassified positions without examination. Upon formal notice to the examining board of such appointments by the head of an office, certification of the same will be made to the Comptroller or other fiscal officer authorized to pay a salary to the incumbent of the position to which such appointment is made.

3. Appointment shall be made to, or employment shall be given in all classified positions that are not filled by promotion, reinstatement, transfer or reduction under these rules by selecting from those graded highest, according to their standing, as the result of open competitive examinations, except as herein otherwise provided.

4. Whenever a position in the classified civil service is to be filled by appointment after a competitive examination, an examination for fitness by or under the direction of the appointing officer may be held at any time. Upon notice by such officer that an examination for fitness is desired, the examining board shall immediately transmit to him the names of all persons then on the list of those eligible for merit. Immediately upon the receipt of such a list, the appointing officer shall cause a competitive examination of such persons to be held, and, unless the examination is by the examining board, shall give notice to such persons to appear at a specified time and place for the purpose of being examined in relation to their fitness for the position named. The

examining board upon request of the appointing officer, will conduct and certify such examination for fitness and prepare the eligible list.

The maximum rating for fitness shall be fifty, and the minimum thirty-five. The rating for merit shall be added to the rating for fitness of each candidate. The result so obtained constitutes the eligible list and appointments must be made therefrom in the order of the combined rating of each candidate. The person, officer or board conducting the examination shall upon completing the eligible list certify it to the examining board. If the examination for fitness is conducted by the examining board the eligible list prepared as the result of such examination shall be filed with the secretary and within five days thereafter a certified copy thereof shall be delivered to the appointing officer who requested such examination. Such an eligible list shall continue for two years from the date of the filing of the merit list by the examining board as the eligible list from which appointments shall be made by such appointing officer, unless a new eligible list is prepared as herein provided; but the appointing officer may at any time hold or require other competitive examinations for fitness of the persons then remaining upon such eligible list, in the same manner and with like effect. Unless the examination for fitness is conducted by the examining board, the appointing officer shall certify to the examining board that the ratings for fitness were determined by competitive examination as provided by law.

Whenever the sex of the persons whose names are to be certified is fixed by any law, rule or regulation, or is specified in the request for certification, the names only of those of the sex so fixed or specified shall be certified from the merit list, but in other cases, such certification shall be made of all persons without regard to sex.

5. In the selection, nomination, appointment or promotion of persons to fill positions in the classified service no regard shall be paid to the partisan political opinions, affiliations or action of any person so selected, nominated, appointed or promoted.

6. Whenever there are urgent reasons for filling a vacancy in any office and there is no merit list from which an eligible list may be made, or in case all persons whose names are on such eligible list shall decline the appointment, the head of the office may nominate a person to the examining board for non-competitive examination, and if such nominee shall be certified by the examining board as qualified by merit, he may be appointed temporarily to fill such vacancy until a selection and appointment can be made from the proper eligible list; and if the head of the office upon the notification that such a merit list is on file with the Commission shall omit within thirty days after such notice to make an eligible list and an appointment therefrom, the position shall be considered vacant.

7. If a person who is not entitled to certification is certified and appointed, his appointment shall be immediately revoked by the appointing officer upon notification by the examining board.

8. An examination for merit will be held by the examining board when required and a new merit list will thereupon be made containing the names of all persons appearing upon a former merit list who have notified the examining board of their desire to be continued upon such list, and also the names of such persons as shall have passed such new examination.

9. Persons who have been honorably discharged from the army or navy of the United States in the late war, and whose qualifications and fitness have been ascertained under these rules, by competitive examination, shall be preferred for appointments to positions in the Civil Service of the State over all other persons, though graded lower than the others so examined, and the persons thus preferred shall not be disqualified from holding any position in the Civil Service on account of their age nor by reason of any physical disability, provided such age or disability does not render them incompetent to perform the duties of the position applied for.

10. No person on any register shall be certified more than three times to the same officer, except upon the request of such officer, nor shall any remain eligible more than two years on any register.

11. Upon satisfactory evidence produced to the mayor that any person whose name is on any eligible list is, by reason of character, habits or past reputation, unfit for admission to the public service, the name of such person shall be formally stricken from such eligible list.

APPLICATIONS.

REGULATION IV.

1. No person shall be admitted to any examination for merit for a classified position until he shall have filed an application under oath upon a form prescribed by the examining board, and accompanied by such certificate as may be prescribed.

2. Every applicant for examination must be a citizen of the United States and a resident of the city of Schenectady for at least one year at the time of his application.

3. No application or examination shall be accepted unless the applicant is within the age limitations fixed for entrance to the position to which he seeks to be appointed.

4. Whenever the application shows that the applicant is not within the prescribed limits of age or is otherwise not qualified under the rules and regulations, the application shall be rejected. The examining board may, in its discretion, refuse to examine an applicant, or to certify as eligible, who is physically so disabled as to be rendered unfit for his performance of the duties of the position to which he seeks appointment; or who is addicted to the habitual use of intoxicating beverages to excess, or who has been guilty of a crime or of infamous or notoriously disgraceful conduct; or who has been dismissed from the service for delinquency or misconduct within one year next preceding the date of his application; or who has intentionally made a false statement in any material fact or practiced, or attempted to practice any deception or fraud in his examination or in securing his eligibility or appointment. Any of the foregoing disqualifications shall be good cause for the removal of an eligible from the service after his appointment.

5. In application for examination for positions requiring scientific, professional or technical qualifications, the examining board may require evidence of special education for, or of practical ex-

perience for a satisfactory term in such science, profession, art or trade; and shall require the production of such certificates of competency and licenses as are provided by the statutes of this State as necessary to enable the practice of any profession, art or trade.

EXAMINATIONS FOR MERIT.

REGULATION V.

1. All examinations by the examining board shall be of a suitable and practical character, involving such subjects as will fairly test the general qualifications of the applicant for the position for which he is examined, and may also include oral examinations or special tests for any particular position requiring any scientific, professional or technical knowledge or manual skill.

2. Whenever physical qualifications are of prime importance in the proper discharge of duties in any position, applicants must pass a physical examination and be certified as qualified in such respect, before admission to examination.

3. No person who has failed in an examination for a position in the classified service shall be admitted within one year from the date thereof to a new examination for the same position.

4. Examination papers shall be rated on a scale of 50, and the subjects therein shall be given such relative weights as the examining board may prescribe. After a competitor's papers have been rated he shall be duly notified of the results thereof.

MERIT LISTS.

REGULATION VI.

1. Every competitor who attains an average rating of 35 or over on all the obligatory subjects in any examination for merit shall be eligible for examination for fitness for appointment to the position for which he was examined and the names of eligibles shall be entered in the order of their average ratings on the proper merit list; provided that the names of the competitors who have passed as above, and whose claims for preference under section 9 of article 5 of the Constitution have been allowed by the examining board shall be placed in the order of their respective average ratings at the head of the proper merit list.

2. When two or more persons on a merit list have the same average rating, precedence on such list shall be determined by the order in which their applications were filed, but neither priority in the date of application nor of examination will give any other advantage in position on such list.

3. Within five days after the filing of a merit list the examining board will notify each candidate whose name appears thereon of the date of such filing and the order of his standing on such list, and with such notice shall be served a copy of this rule. The deposit of such notice in the post-office at Schenectady, N. Y., properly addressed, with the postage paid, shall be deemed a sufficient service thereof. Each person whose name appears upon such merit list must notify the examining board at least once a year, computing from the date of filing the list, that he is willing to accept an appointment, if tendered to him, and desires to have his name continued on such list. If such a notice is not received by the examining board the name of the candidate shall thereupon be stricken from the list.

If a candidate whose name has been entered upon an eligible list declines or fails to accept an offer of appointment from any officer authorized to appoint from such list, he shall be deemed to have waived his right to appointment and his name shall be stricken from the list.

TERM OF PROBATION.

REGULATION VII.

1. Every original appointment to or employment in any position in the classified service shall be for a probationary term of three months, and an appointing or nominating officer in notifying a person selected by him for appointment or employment shall specify the same as for a probationary term only, and at the end of such term, if the conduct, capacity and fitness of the probationer are satisfactory to the appointing officer, his retention in the service shall be equivalent to his absolute appointment, but if his conduct, capacity or fitness be not satisfactory, he may be discharged at any time.

2. Every officer under whom any probationer shall serve during any part of his probation shall carefully observe the quality and value of the services rendered by such probationer and his conduct, and if so required shall report in writing to the proper appointing officer the facts observed by him, showing the character and qualifications of such probationer, and of the service rendered by him, and such reports shall be preserved on file.

TEMPORARY APPOINTMENTS.

REGULATION VIII.

1. No temporary appointment or employment in the classified service shall be made or given except under the provisions of the sixth section of Regulation IV as herein provided.

Every officer having the power of such employment shall, previous to making the same, certify to the examining board that the services to be rendered are of a temporary character and shall give the duration and character of the service to be rendered and the rate of compensation to be paid therefor. When the duration of services is certified not to exceed one month and the need of such service to be immediate and urgent, the appointing officer may select for such temporary service any person on the proper register of those eligible for permanent appointment; subject, however, to the provisions of the law giving preference in appointment to certain persons.

2. The acceptance by an eligible of a temporary appointment shall not affect his standing on the eligible list for a permanent employment nor shall the period of temporary service be counted as part of the probationary service in case of subsequent appointment to a permanent position.

SHORT-TERM POSITIONS.

REGULATION IX.

1. All positions in the classified service where the nature of service is such that it is not continuous through the year, but recurs in each successive calendar year, shall be designated as short-term positions and shall be subject to the provisions of these

rules as applicable generally to positions in the classified service except as herein otherwise provided.

2. Any person originally appointed to or employed in a short-term position under the provisions of these rules and who has been temporarily separated from the service by the expiration thereof in any year shall be entitled to re-appointment to or re-employment in the same position in the next ensuing year upon filing in the office of the examining board in such form as it may prescribe, a request for such re-appointment or re-employment within six weeks previous to and at least thirty days before the date of resumption of such short-term service. The examining board shall certify to the proper appointing or employing officer the names and post-office addresses of the persons who have made such formal requests and they shall be reinstated in the positions vacated by them in the previous year in the order of the date of their original appointment or latest promotion, provided, that in the meantime they are not disqualified from any of the causes recited in the fourth section of Regulation V.

PROMOTIONS.

REGULATION X.

1. Promotion shall in all cases be based upon the positive merits and fitness of the person promoted and upon his superior qualifications as shown by his previous service, due weight being given to seniority.

2. Whenever the head of an office shall deem a written competitive examination to be practicable as a factor in ascertaining the relative merit of those persons otherwise qualified for promotion to a vacancy in his office, the examining board on his formal application may hold such examination and certify the results to the head of the office for his information.

3. Promotions shall be made by regular and successive grades, but if there is no person fit for promotion in the next inferior grade, the selection shall be made from the second inferior grade, and if none there be found fit, then from the third inferior grade, and so on until a suitable person has been found in such grade or

grades, or if there be none found in such inferior grades the vacancy shall be filled by appointment under these rules from the proper eligible list of those qualified for appointment.

4. No promotion can be made from a position in one class or group to a position in another class or group, unless the same be specially authorized by the examining board, but a person employed in any grade shall not because of his employment be barred from the open, competitive examination provided for original entrance to any other grade.

CERTIFICATES FOR PROMOTION, TRANSFER AND REIN-STATEMENT.

REGULATION XI.

1. Upon the written request of an appointing officer, stating the essential facts in regard to any proposed promotion, transfer or reinstatement, the examining board will, if such promotion, transfer or reinstatement be in accordance with law and the provisions of these rules, issue its certificate of that fact to such officer.

2. All promotions, transfers and reinstatements herein authorized shall be made only after the issuance of such certificate except those which may be specially exempted from such condition by regulation of the examining board.

REPORTS OF APPOINTING OFFICERS.

REGULATION XII.

For the purpose of certification to the Comptroller, or other fiscal officer, for the payment of salaries as required by law, and in order that the examining board may keep proper record of the service and of changes in it, each appointing and employing officer from time to time after the date of the promulgation of these rules and upon the date of the official action in or knowledge of each case, shall report to the examining board as required by law, and in such form and manner as it may prescribe, as follows:

a. Every original appointment or employment, whether probational, temporary or otherwise, with the date of commencement of service and the compensation of the position;

- b.* Every failure to accept an appointment under him by a person who has been duly certified, with the reason, if any given therefor;
- c.* Every discharge at the end of probationary term with the date thereof;
- d.* Every vacancy in a position, whether caused by dismissal, resignation or death, with the date thereof;
- e.* Every new position with the duties of the same, and the compensation thereof;
- f.* Every position abolished, with the date of such abolition;
- g.* Every change of compensation in a position, with the date thereof;
- h.* Every change in the duties of a position that may require its reclassification, with the date thereof;
- i.* Every promotion, giving the positions from which and to which made, and with the date thereof.
- j.* Every transfer, giving the positions from which and to which made, with the date thereof;
- k.* Every reinstatement in a position, with the date thereof.

CERTIFICATIONS TO FISCAL OFFICERS.

REGULATION XIII.

1. The examining board shall keep in its office an official roster of the classified Civil Service of the city of Schenectady, N. Y., and shall enter thereon the name of each and every person who has been appointed to, employed, promoted or reinstated in any position in such service upon such evidence as it may require or deem satisfactory that such person was appointed to, or employed, promoted or reinstated in the service in conformity with the provisions of law and of these rules. The official roster shall show opposite or in connection with each name the date of appointment, employment, promotion or reinstatement, the class, grade and the compensation of the position, date of commencement of service, and the date of transfer in or separation from the service by dismissal, resignation, cancellation of appointment or death.

2. Whenever the name of a person appointed to or employed, promoted, transferred or reinstated in any position in the classified service, is entered upon the official roster as provided above, the examining board shall certify to the comptroller or other fiscal officer duly authorized to pay or draw a warrant for the payment of the salary of such position, the name, position, office, compensation and date of commencement of service of the person so appointed, employed, promoted, transferred or reinstated; and in like manner shall certify to the officials aforesaid any separation of a person from the service, or other change therein, and the name of any person appointed or employed in the civil service of the city of Schepectady, N. Y., in violation of law or of the rules and regulations made in pursuance to law.

3. Upon satisfactory evidence that, with intent to evade the provisions of law and of these rules, any person appointed to or employed in any position in the classified service has been assigned to perform duties other than those for which he was examined and certified, the examining board shall cancel its certifications of such person by formal notice to the fiscal and appointing officers and the appointment or employment of such person shall be void on and after five days from the date of such notice.

POWER OF APPOINTMENT AND REMOVAL.

REGULATION XIV.

Subject only to the qualifications required to be ascertained in accordance with these rules, the power of appointment and the responsibility of selection are in all cases in the appointing office. The power to remove (existing by law) on the part of any officer is not impaired by anything contained in these rules.

Approved by the New York Civil Service Commission December 9, 1897.

CONSTITUTIONAL PROVISIONS.

Article 1, section 16. * * * Such acts of the Legislature of this State as are now in force, shall be and continue the law of this State, subject to such alterations as the Legislature shall

make concerning the same. But all such parts of the common law, and such of the said acts, or parts thereof, as are repugnant to this Constitution, are hereby abrogated.

Article 5, section 9. * * * Appointments and promotions in the civil service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. Laws shall be made to provide for the enforcement of this section.

ALBANY, *December 9, 1897.*

The foregoing Civil Service Regulations for the city of Schenectady, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

[L. s.]

CLARENCE B. ANGLE,

Secretary.

Civil Service Rules and Regulations of the City of Syracuse.

Pursuant to the Constitution and the Laws of the State of New York, I, James K. McGuire, mayor of the city of Syracuse, do hereby prescribe the following rules and regulations to hereafter govern the civil service of the city of Syracuse, and for the conduct of persons who may receive appointment in the said service. These rules shall take effect three days after they have received the approval of the Civil Service Commissioners of the State of New York, and are filed with the city clerk:

RULE I.

These rules shall apply to all persons in the public service of the city of Syracuse, except officers elected by the people and all officers hereinafter specified in Schedule A.

The civil service of the city of Syracuse is hereby divided into Schedules A, B and C.

SCHEDULE A.

Schedule A shall include all officers and employes of the board of education; the city treasurer and all his subordinates, for whose errors or violations of duty said officer is financially responsible; all commissioners of every department appointed by the mayor; all heads of departments and the confidential clerk of each head; the city clerk and his deputy; the city engineer and his deputy; the corporation counsel and his assistants; the cemetery sextons; the clerk of the police justice; deputy commissioner of public works; the superintendent and chief engineer of the water department; chief of police; municipal court judges; plumbing board; election officers; commissioners of deeds; sealer of weights and measures.

SCHEDULE B.

All clerks, bookkeepers, messengers and employes in the various departments, saving and excepting such as may be specifically named and placed in other schedules, or expressly excepted by these rules, or by law, from the operation of the Civil Service Law.

All appointments of the common council not mentioned in Schedule A.

Water Department.

Clerk to superintendent, chief bookkeeper, cashier, general inspector, engineer and draughtsman, general foreman, patrolman on conduit line, gatekeeper, hydrant inspector.

City Engineer's Department.

First assistant engineer, clerk to city engineer, driver.

SCHEDULE C.*Police Department.*

All officials and employes excepting chief of police and hostlers and police surgeon.

Municipal Court.

Clerks and stenographer.

Board of Health.

Health officer, registrar, health inspector, assistant health inspector, milk inspector and chemist, meat inspector, public vaccinator, plumbing inspector.

Board of Examining Plumbers.

Clerks.

Fire Department.

All officers and employes.

Library Board.

Librarian, assistant librarian and clerks.

Board of Assessors.

Clerks.

Department of Public Works.

Superintendent of repairs, sidewalk inspector, park superintendent, sprinkling inspectors, grading inspectors, bridge and culvert inspectors, asphalt, asphaltina, brick, block, stone, macadam, sandstone pavement inspectors, subway inspectors, brick sewer inspectors, fire marshal, inspector of steam boilers.

Water Department.

Assistant bookkeepers, stenographers, clerks, inspectors, meter readers, supply agent, foreman, watchman.

City Engineer's Department.

Assistant engineers, clerks, draughtsmen, levelers, rodmen, cement tester.

RULE II.

For the purpose of conducting the inquiries and examinations of the civil service, the mayor shall appoint three citizens of Syracuse, who shall constitute and be known as the Civil Service Commission of Syracuse. The mayor shall also designate and appoint one or more clerks for said Commission. Not more than two of the Commissioners shall be members of the same political party and no one of them shall be otherwise in the service of the city. Each Commissioner shall before entering on the discharge of his duties, take and file with the city clerk an oath, in the general form prescribed for city officers. The clerk of the Commission shall be styled the secretary of the Civil Service Commission of Syracuse.

The mayor may at anytime substitute another citizen in the place of any one so designated, by filing with the city clerk a written notification of such change. It shall be the duty of such board of examiners to conduct all examinations called for under these regulations to ascertain the fitness of candidates for the service of the city, in respect to character, knowledge and ability for the branch of the service into which they seek to enter, and

to estimate and determine the relative excellence or standing of the persons examined, and to certify the same in such manner and form as may be prescribed. The secretary of the board shall keep the minutes of the proceedings and all necessary records of applicants, their examinations and standings, and a complete record of all persons employed in the several departments to which these rules apply, and of all appointments, promotions, dismissals, resignations and changes of any sort therein. When not in attendance upon the examining board, the secretary will act under the direction of the mayor.

RULE III.

1. Whenever any officer having the power of appointment or to employ in any position in Schedules B or C shall so request, the board of examiners shall certify to him the names of eligible persons who are graded highest on the proper register, indicating such of them, if any, as have been honorably discharged from the military or naval service of the United States in the late war.

2. From the names so certified, the officer shall make a selection to fill the vacant place, subject, however, to the provisions of the law giving preference to persons who have been honorably discharged from the military or naval service in the late war.

3. Whenever such request shall indicate that proficiency in any of the specified optional subjects is of prime importance in the position to be filled, the board of examiners will certify the names of the persons on the eligible list having the highest standing not below the minimum of fifty in such optional subjects. The mayor shall have power to order a new or special examination whenever there are no persons on the eligible list sufficiently qualified in such optional subjects.

4. In the selection from the persons whose names are certified as above, the appointing or employing officer, upon his written requisition therefor, will be furnished with the application and examination papers of all persons so certified, and in the exercise of his responsible power of selection, he may summon personally before him the certified persons for such verbal inquiry as he may

deem proper. All papers furnished upon requisition as above must be returned to the secretary of the examining board.

RULE IV.

The Commissioners shall from their number choose a president to act during their pleasure, and they may from time to time designate committees from their own number, to conduct any of the various examinations and classes of examinations. The schedule of rating of the candidates, and the certificate or certificates upon each examination and of the recommendation, shall be signed by a majority of the committee, if any, conducting the examination, and be approved by the president of the Commission. During the absence or inability to act of the president, a temporary president, chosen by the Commission from their own number, may, in all respects, act as chairman.

RULE V.

These rules shall in no way interfere with the right of any officer or head of department to make dismissals from his department, except that no employe shall be dismissed because of his political views or affiliations. In case of dismissal a statement in writing of the specific reasons therefor shall be furnished to the person dismissed, upon his demand, by the officer dismissing him, and in that case a copy thereof shall be filed with the records of the office. Every dismissal and other change in the municipal service shall be reported in writing to the Commission and to the city clerk, within ten days after the change takes place.

RULE VI.

All examinations under these rules shall be conducted under the auspices of the Commission, and shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of that service for which they are named, or into which they seek to be appointed. For such purpose the Commission shall be satisfied and shall so certify, that the person named or applying, is

First.—Within the limits of age prescribed for the situation or employment for which named or applying. All candidates shall be at least twenty-one years of age and not more than sixty years of age at the date of their examination, except as hereinafter provided.

Second.—Free from any physical defect or disease likely to interfere with the proper discharge of his duties.

Third.—That his character is such as to qualify him for such situation or employment.

Fourth.—That he possesses the requisite knowledge and ability to enter upon the discharge of the duties of such situation or employment.

RULE VII.

Applications for positions included in Schedules B and C must be in the handwriting of the applicant, and be addressed to the "secretary of the Civil Service Commission, Syracuse, N. Y.," and must be accompanied by the following papers:

First.—The affidavit of the applicant that he is a citizen of the United States and has resided continuously in the city of Syracuse for the last preceding year, stating the street and number of his residence, his age and place of birth; the nature of his education and also of his business training and experience, and whether he has ever been in official service before, and if so, when and where, and whether he has ever been discharged from the military or naval service of the United States, in which case the discharge, or a duly authenticated copy thereof, to be submitted with the application.

Second.—The certificates of not less than three or more than five reputable citizens of Syracuse, each certifying that he individually has been personally acquainted with the applicant for at least one year, and believes him to be of good moral character, of temperate and industrious habits, and in all respects fit for the service he wishes to enter; that they are willing to answer such detailed questions as may be addressed to them by this Commission in relation thereto, and that all such information may be published in the discretion of the Commission.

Third.—The certificate of a practicing physician in good standing, that he has examined the applicant and found him free from any disease or physical defect that would impair his ability to render good and faithful service to the city.

Fourth.—The Commission may require such other papers as it may deem necessary for the purpose of the examination.

Blank forms of application under this section will be provided by the Commission.

RULE VIII.

Registers of applicants shall be kept by the secretary of the Commission, which registers shall contain or set out such information or data concerning each applicant as the Commission may deem wise and proper.

RULE IX.

All applicants for appointment as patrolman in the police department, or as members of the park police force, shall be:

First.—Citizens of the United States and residents of the city of Syracuse for at least three years next prior to the date of their application.

Second.—Not less than twenty-four nor more than thirty-eight years of age at date of their appointment.

Third.—Not less than five feet nine inches and not more than six feet three inches in height, and whose weight and chest measure shall conform to their height in not less than the figures shown in the following table:

For height of 5 feet 9 inches, 145 pounds, 34½ inches.
For height of 5 feet 10 inches, 150 pounds, 34½ inches.
For height of 5 feet 11 inches, 155 pounds, 35½ inches.
For height of 6 feet, 160 pounds, 36 inches.
For height of 6 feet 1 inch, 165 pounds, 36½ inches.
For height of 6 feet 2 inches, 170 pounds, 37 inches.
For height of 6 feet 3 inches, 175 pounds, 37½ inches.

Fourth.—Have certificates of character and habits satisfactory to the Commission.

Fifth.—Are of good health, sound body and mind, and without hereditary tendency of any disease liable to impair their usefulness as patrolmen.

This rule shall not contravene the provisions of any statute with relation to honorably discharged soldiers and sailors of the late war.

The following shall be the general plan and scope of the examinations for admission to the police department:

I

PHYSICAL QUALIFICATIONS.

1. General health (value)	5
2. Strength and agility (value).....	3
3. Eyesight (value)	1
4. Hearing (value)	1
Total of values	<u>10</u>

Each to be marked upon a scale of 100 (which number represents the maximum), an average to be ascertained by multiplying the standing of the applicant in each qualification by the value of said qualification, as indicated above, and dividing the united products by the sum of values, 10.

II.

General Qualifications.

1. General character: To include habits and reputation, and to be ascertained in such manner as the examining board may determine.

2. Experience: Obtained either in actual service as a police officer or in other occupations tending to qualify for such service.

3. Obligatory subjects:

- (a) Reading from print and manuscript.
- (b) Handwriting, as shown by copying and manuscript.
- (c) Writing from dictation.
- (d) Spelling, as shown by writing from dictation.
- (e) Arithmetic, subtraction, multiplication and division applied to whole numbers.
- (f) Police rules and regulations.
- (g) Questions relating to Syracuse city government, location of streets, etc.

III.

The relative weight given to the several obligatory subjects in making up the average standing will be as follows:

(a) Reading	2
(b) Handwriting.....	2
(c) Writing from dictation.....	1
(d) Spelling	1
(e) Arithmetic.....	1
(f) Police rules and regulations.....	2
(g) Syracuse data.....	1
Total of weights.....	<u>10</u>

RULE X.

Fire Department.

All applicants for appointment as firemen in the fire department shall be:

First.—Citizens of the United States and residents of the city of Syracuse for at least two years next prior to the date of their application.

Second.—Not less than twenty-one nor more than thirty years of age.

Third.—Not less than five feet seven inches, and not more than six feet four inches in height, and whose weight and chest measurement shall conform to their height in not less than the figures shown in the following table:

For height 5 feet 7 inches, 127 pounds, 33 inches.
For height 5 feet 9 inches, 145 pounds, 34½ inches.
For height 5 feet 10 inches, 150 pounds, 35 inches.
For height 5 feet 11 inches, 155 pounds, 36 inches.
For height 6 feet, 160 pounds, 36½ inches.
For height 6 feet 1 inch, 165 pounds, 37½ inches.
For height 6 feet 2 inches, 170 pounds, 38 inches.
For height 6 feet 3 inches, 175 pounds, 39 inches.
For height 6 feet 4 inches, 180 pounds, 40 inches.

Fourth.—Have certificates of character and habits satisfactory to the Commission.

Fifth.—Are of good health, of sound body and mind, and without hereditary tendency to any disease liable to impair their usefulness as firemen.

Except that any applicant who has served upon the fire de-

partment of the city, and who has resigned therefrom with no charges pending against him, and whose record with the fire department remains honorable, may, by the consent of the Commission, be exempted from the provisions of subdivision second and third of this rule, as to the maximum age and minimum height.

This rule shall not contravene the provisions of any statute with relation to honorably discharged soldiers and sailors of the late war.

RULE XI.

The following will be the general scope and plan of examination for admission to the fire department:

I.

Physical Qualifications.

1. General health (value).....	5
2. Strength and agility (value).....	3
3. Eyesight (value).....	1
4. Hearing (value).....	1
Total of values.....	<u>10</u>

Each to be proved or demonstrated in such manner as may be required by the Commission, and to be marked upon a scale of 100 (which number represents the maximum), and average to be ascertained by multiplying the standing of the applicant in each qualification by the value of said qualification, as indicated above, and dividing the united products by the sum of values, 10.

II.

General Qualifications.

1. General character: To include habits and reputation, and to be ascertained in such manner as the Commission may determine.

2. Experience: Obtained either in actual service as a fireman, or in other occupation tending to qualify for such service and to be proved or demonstrated in such manner as may be prescribed by the examiners.

3. Obligatory subjects:

- (a) Reading from print and manuscript.
- (b) Handwriting, as shown by copying from manuscript.
- (c) Writing from dictation.
- (d) Spelling, as shown in writing from dictation.
- (e) Arithmetic; Addition, subtraction, multiplication and division, as applied to whole numbers.
- (f) Fire Department Rules and Regulations and reading fire alarms.
- (g) Syracuse data: Questions relating to locations of streets, public buildings and fire alarm boxes, etc.

III.

The relative weight given to the several obligatory subjects in making up the average standing will be as follows:

(a) Reading	2
(b) Handwriting	2
(c) Writing from dictation	1
(d) Spelling	1
(e) Arithmetic	1
(f) Fire Department Rules and Regulations, etc.....	2
(g) Syracuse data	1
Total weights	<u>10</u>

EXAMINATION FOR APPOINTMENT AND PROMOTION.**RULE XII.**

The term "merit," wherever used in these regulations, shall be construed to mean "good quality in general; excellence; that which deserves consideration or reward."

RULE XIII.

The term "fitness," wherever used in these regulations, shall be construed to mean "that state of being fitted or qualified; requisite capacity."

RULE XIV.

Pursuant to chapter 428 of the Laws of 1897, in all examinations for appointment and promotion in the civil service of the city of Syracuse, merit and fitness shall be determined by open competitive examinations for all positions in Schedule B, as herein provided. The merit of all applicants shall be determined by examination conducted by the Commission. Upon all examinations to determine the merit of the applicants, no rating higher than fifty per centum shall be given to any person.

Lists containing the names and rating of all applicants found on such examination to be eligible for appointment and promotion for merit, shall be made up for certification to the person or persons holding the power of appointment or promotion in the manner provided in these regulations. The minimum percentage of rating necessary to entitle an applicant to a place upon such list as eligible for merit shall be seventy per centum of fifty or thirty-five.

RULE XV.

The fitness of applicants certified to be eligible for appointment or promotion for merit shall be determined by examination, to be conducted by the person or persons holding the power of appointment or promotion, or by some person or board designated by the person or persons holding such power of appointment or promotion, and the rating on such examination for fitness shall not exceed in any case fifty per centum. The minimum percentage of rating necessary to entitle an applicant to a place upon such lists as eligible for fitness shall be seventy per cent. of fifty or thirty-five. The rating obtained upon the examination for fitness shall be added by the person or persons holding the power of appointment or promotion to the rating given to each applicant certified to be eligible for merit respectively by the Commission. The result of the combined ratings for merit and fitness shall be certified to the Commission by the person or persons holding the power of appointment or promotion in every case within five days after the date on which the result of the examination for fitness has been ascertained.

RULE XVI.

Where an examination for merit for any grade is had before the eligible list for that grade is exhausted, a new list shall be prepared after such examination. The persons upon the former eligible list who have not been examined for the new eligible list shall be respectively placed upon the new eligible list in the position to which the percentage of their aggregate markings upon their former examinations would entitle them if such markings had instead been given them upon the new examination.

RULE XVII.

The actual conduct of every examination for merit shall be under the responsible direction of the Commission or of its designated members, free from the interference or participation or influence of the appointing officer, or of any person other than assistant examiners or experts directly employed by the Commission.

No person employed in the department for whose benefit an eligible list is to be prepared shall be employed as an expert upon the merit examination for such eligible list.

The Commission may, in their examinations, give such relative importance to the different subjects or matter of examination, whether mental or physical, or to experience, occupation or training, as to them may seem fit. At or before the commencement of every examination, the weight to be given to every subject included in the examination, and the general or average minimum, and the minimum, if any, allowable upon each subject, shall be announced to the applicants. The appointing officer shall prescribe to the Commission, and upon its request he shall state to the Commission, so far as is consistent with these regulations, the general qualifications or attainments, physical or mental, or both, and the experience he deems necessary or proper to be possessed by persons filling the position for which an eligible list for merit is to be formed, and also of what age such persons should be.

Physical examinations of applicants for positions in the uniformed police force shall, upon the request and under the authority and supervision of the Commission, be in part conducted as aforesaid by the surgeon of the police department. Physical examinations of applicants for positions in the uniformed fire force shall, upon the request and under the authority and supervision of the Commission, be in part conducted as aforesaid by the surgeon of the fire department.

RULE XVIII.

All examinations, whether for merit or for fitness, shall be practical in their character, and shall relate to those matters which shall fairly test the intelligence, competency, suitability and character of the applicants to discharge the duties of the service for which they seek to be appointed. The Commission, with the approval of the Civil Service Commission of the State, shall determine when examinations are not practicable, and when competitive examinations are not practicable, in cases relating to the Civil Service of the city of Syracuse.

RULE XIX.

No recommendation or question under the authority of these regulations shall relate to the political opinions or affiliations of any person whatever; neither shall political opinions be discovered nor considered by the Commission in their examinations. The Commission shall not receive or consider any communication as to the qualifications or merits of any candidates for a position except such as are herein permitted, and except such communications as they may invite by way of verification of statements made by the candidate.

No recommendation of any person who shall apply for office or place under these regulations, which may be given by any senator or member of assembly, or officer confirmed by the senate, or judge of any court, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under these regulations. (Sec. 9, chapter 354, Laws of 1883.)

ELIGIBLE LISTS.**RULE XX.**

All the schedules, eligible lists, examinations papers, minutes and other papers, memoranda and records of the Commission, save and except communications from appointing officers under Regulation XXIII, shall be public and open to the inspection of any citizen upon reasonable application. And it shall be the

duty of the secretary of the Commission, upon tender of the cost of making the copies, to furnish to any citizen certified copies of any of the said schedules, lists, examination papers, minute papers, memoranda or records, save as heretofore excepted; provided, however, that the papers, memoranda and other records relating to any particular examination shall not be made public until after the eligible list upon such examination is prepared and certified.

RULE XXI.

The Commission shall have the power to correct any error and amend or revoke any schedule, list or other paper or record where it appears that any error or injustice has been done; provided, however, that after an eligible list is prepared and certified, it shall not be altered or revoked, except upon notice by mail or otherwise, as the Commission may direct, to all persons whose standing will be unfavorably affected by the alteration.

RULE XXII.

In case any appointing officer shall become satisfied that the character or reputation of any person named on an eligible list is such as to make it unfit or improper to appoint him to a position, he shall so state to the Commission. And the Commission shall have the power in every case where they are satisfied that the character or reputation of any applicant for a position, or any person named on an eligible list, is such as to make his appointment to a position in the Civil Service unfit or improper, to strike the name of such person from the roll of persons for examination, or from an eligible list; providing, that before they shall so strike his name from such roll or list they shall advise him of the general grounds upon which they are about to proceed, that he may make such explanation as he may deem proper. And while making any investigation of the character or reputation of any person on an eligible list the Commission or its chairman may, after causing to be entered on its minutes a statement of the information received by the Commission tending to impugn such character or reputation, suspend certification of such candidate for

a period not exceeding ten days. But nothing in this regulation shall be so construed as to give to any person the right to a proceeding in the nature of a trial before the Commission.

RULE XXIII.

No examination, eligible list, certificate or proceeding of the Commission shall be prejudiced or affected by reason of any omission, informality or irregularity thereon, unless the person claiming or aggrieved shall notify the Commission prior to the completion of the examination of such omission, informality or irregularity, and unless after such notice the Commission shall determine such omission, informality or irregularity to be material.

RULE XXIV.

All eligible lists existing prior to July 14, 1897, are hereby abolished. ;

RULE XXV.

In the creation of new eligible lists for merit, the ratings of fifty per centum for merit shall be based upon such written or oral examination, or both, as the committee in charge of a given examination shall determine.

RULE XXVI.

In the creation of eligible lists for fitness, the ratings given by the committee of this Commission shall rest upon the evidence of fitness shown by the experience sheets and the vouchers of the several applicants who have met the requirements for securing a place on the eligible list for merit in the given examination; but there shall also be a personal inspection of the applicants by the said committee or the expert conducting the examination, and whatever oral examination the said committee or the said expert may require shall have such significance as the said committee or the said expert may determine in fixing the ratings for fitness. ;

CERTIFICATION AND APPOINTMENT.

RULE XXVII.

Applicants examined as in these regulations provided shall be preferred for appointment and promotion according to their standing, ascertained by adding together the rating for merit and the rating for fitness. For each appointment or promotion one name shall be certified by the Commission to the person or persons holding the power of appointment or promotion, and such name shall be that of the person the result of whose combined ratings for merit and for fitness is highest in the examination for the position to which the appointment or promotion is to be made; provided, however, that the preference accorded to veterans of the late war by the Constitution and Laws of the State of New York, and by regulation XXIX, shall be regarded in said certification.

RULE XXVIII.

Persons who have been honorably discharged from service in the army or navy of the United States in the late war shall be preferred for appointment to positions in the civil service over other persons of equal standing, as ascertained under these regulations, and the person thus preferred shall not be disqualified from holding any position in the Civil Service on account of his age, or by reason of any physical disability, provided such disability does not render him incompetent to perform the duties of the position applied for.

The Civil Service acts, as amended by chapter 29 of the Laws of 1886, provide, etc.:

That "persons who served in the army and navy of the United States in the late war, and have been honorably discharged therefrom, shall be certified as such by the commissioners, board or officers authorized to report names for appointments, to the appointing officer or other appointing power, and shall be preferred for appointment to positions in the Civil Service of the State and of the cities affected by this act and the several acts hereby amended, over all other persons, though graded lower than others so examined and reported, provided their qualifications and fit-

ness shall have been ascertained as provided under this act and the several acts hereby amended; and the person thus preferred shall not be disqualified from holding a position in said Civil Service on account of his age or by reason of any physical disability, provided such age or disability does not render him incompetent to perform the duties of the position applied for. Whenever it shall appear after a competitive examination for appointment to a position in the Civil Service of the State, or of the cities affected by this act and the several acts hereby amended, that more than one such honorably discharged soldier or sailor is qualified to fill the same, the commissioners, board or officers authorized to report names for appointment, shall certify to the appointing officer or the appointing power all such honorably discharged soldiers and sailors whose qualifications and fitness have been ascertained as aforesaid, specifying their respective grades in such examination."

RULE XXIX.

Where a person upon an eligible list shall decline to accept an appointment, whether temporary or permanent, to a position permanent in its nature, and upon request of the Commission shall not explain such declination satisfactorily to the Commission, they may strike his name from the eligible list.

No reason for declining appointment shall be considered satisfactory by the Commission unless the person declining appointment state in writing that he declines because he is at the time holding what he considers a better position; or, if the salary offered is not satisfactory, he must state, also in writing, the salary which he will accept; and duplicates of all such letters of declination must be referred to the chairman of the Commission, who is hereby authorized to accept or refuse to accept the same.

The name of a person who declines an appointment for the reason that he is holding a position which he prefers, shall not be certified again for appointment until he notifies the Commission, in writing, that he no longer holds the particular position which he referred to when he declined appointment.

The name of a person holding a position in any grade shall not be certified for appointment from an eligible list for that grade, or from a list for a lower grade in the same class, or for a position in any other class which carries the same or less salary, unless such person requests the Commission to so certify his name.

RULE XXX.

No temporary appointment to a position within schedule B shall be made of any one not eligible for permanent appointment excepting that in case of exigency, upon the certificate of the chairman of the Commission, that there are no candidates upon an eligible list for the position, and with the approval of the mayor, such temporary appointment may be made, and the appointee may hold office thereunder until an eligible list is prepared, and such eligible list shall thereupon be forthwith prepared and the position shall then be filled from such eligible list. In the event of the appointment of special patrolmen pursuant to the provisions of the city charter, such special patrolmen may be appointed without examination and without reference to the qualifications laid down in these regulations.

The name of a person on an eligible list who has received a temporary appointment shall, notwithstanding such appointment, be deemed to still remain upon the eligible list for the purpose of his certification for a permanent appointment, in like manner as if he did not hold such temporary appointment. No temporary appointment shall continue more than two months, except as hereinbefore provided, and except in cases where the Civil Service Commission shall certify a longer continuance of such temporary appointment to be necessary for the public service.

DISMISSAL.

RULE XXXI.

No one dismissed from the service for misconduct, whether prior or subsequent to the promulgation of these regulations, shall be admitted to examination for appointment in any capacity in any department of the municipal service within two years from the date of dismissal.

REINSTATEMENT.

RULE XXXII.

Where the employment of a person in any grade of schedule B is terminated because the work upon which he is engaged is suspended, he may be reappointed by the head of such department to the position in which he was so formerly employed, and if such person had been originally appointed from an eligible list, then his name shall thereupon be replaced upon the eligible list from which he was appointed to the position thereon to which his original marking or rating entitled him, and be thereafter certified for appointment in all respects as if his name had been placed upon such eligible list on the date of such former termination of his employment.

STATE OF NEW YORK,

OFFICE OF THE CIVIL SERVICE COMMISSION,

ALBANY, *August 3, 1897.*

The foregoing regulations for the city of Syracuse, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

[L. S.]

CLARENCE B. ANGLE,

Secretary.

Regulations for the Civil Service of the City of Troy.

DEFINITION OF THE CIVIL SERVICE AND ITS DIVISIONS.

REGULATION I.

1. These regulations shall apply to all positions in the public service of the city of Troy, with the following exceptions, required by the statutes, namely: All elective officers and the subordinates of any such officers, for whose errors or violation of duty said officer is financially responsible; and the heads of every department of the city government, and persons employed in, or who seek to enter the public service under the educational department of the city, and all subordinate officers who, by virtue of their office, have personal custody of public moneys or public securities, for the safe-keeping of which the head of the office is under official bonds.

2. The civil service of the city of Troy shall be divided into the unclassified service and the classified service.

3. The unclassified service shall comprise all elective positions, the mayor's private secretary and the mayor's messenger.

4. The classified service shall comprise all clerks, copyists, book-keepers and others rendering clerical services and not included in unclassified service, clerks in the office of the comptroller, all police officers, station-house keepers and clerks appointed by the boards of police and excise commissioners; the superintendent of fire alarm telegraph, the chief engineer and assistant engineers of the fire department, and all firemen, engineers, clerks, drivers and other persons appointed by the board of fire commissioners; the superintendent of public burial grounds, the superintendent of public clocks, the sealer of weights and measures, the pound keeper, health officer, city clerk, city superintendent of the poor, clerk of the board of charities, superintendent of water works and the clerks, engineers, firemen and other persons appointed by the

board of water commissioners; and all persons employed in the public service of said city, or appointed by any board or officer, and not included in Regulation I and unclassified service.

GENERAL PROVISIONS.

REGULATION II.

1. The violation of any of the provisions of the civil service acts or of these rules by any person in the civil service of the city of Troy, N. Y., shall be considered a good cause for the dismissal of such person from the service.

2. No person in the civil service of the city of Troy, N. Y., shall use his official authority or influence to coerce the political action of any person or body, or shall dismiss or cause to be dismissed, or make any attempt to procure the dismissal of, or in any manner change the official rank or compensation of any person in such service because of his political or religious opinions or affiliations.

3. No question in any examination, or form of application or other proceedings by or under the Commission, or its examiners, shall be so framed as to elicit information concerning, nor any other attempt be made to ascertain, the political or religious opinions or affiliations of any applicant, competitor or eligible, and all disclosures thereof shall be discountenanced by the Commission and its examiners. And no discrimination shall be exercised, threatened or promised against or in favor of any applicant, competitor or eligible because of his political or religious opinions or affiliations.

4. No recommendation of an applicant, competitor or eligible involving any disclosure of his political opinions or affiliations shall be received, filed or considered by the Commission by an examining board or by any nominating or appointing officer.

5. No person in the civil service of the city of Troy, N. Y., shall be obliged to contribute to any political fund or to render any political service; nor shall any such person, directly or indirectly use his authority or official influence to compel or induce any other person in such service to pay or promise to pay any political assessment.

6. In making removals or reductions or in imposing penalties for delinquency or misconduct, penalties like in character shall be imposed for like offenses and action thereon shall be taken irrespective of the political or religious opinions or affiliations of the offenders.

7. A person holding a position on the date said position is classified under the rules whose appointment was made in conformity with the law and who had been rendering the proper duties of such position, shall be entitled to all the rights and benefits, possessed by persons of the same class appointed upon examination under the provisions of said rules.

8. The Commission shall have authority to prescribe such regulations, in pursuance of and for the execution of the provisions of these rules and of the Civil Service Act, as may not be inconsistent therewith, and may prescribe blank forms for all applications, certificates, reports, records and returns required under these rules and the regulations made in pursuance thereof.

APPOINTMENTS TO AND EMPLOYMENT IN THE CLASSIFIED SERVICE.

REGULATION III.

1. In pursuance of the provisions of article V, section 9 of the Constitution and of the Civil Service Acts, there shall be provided to ascertain merit for admission to the classified service, examinations to be made under the general direction of the Commission.

2. No person shall be appointed to or employed in any position in the classified service until he shall have passed the examinations for merit and fitness as provided therefor or unless the position to which he is appointed is especially exempt from examination under the provisions of these rules.

APPOINTMENTS TO POSITIONS.

REGULATION IV.

1. Appointments may be made to unclassified positions without examination. Upon formal notice to the Commission of such appointments by the head of an office, certificates of the same will

be made to the Comptroller or other fiscal officer otherwise authorized to pay a salary to the incumbent of the position to which such appointment is made.

2. Appointments shall be made to or employment shall be given in all classified positions that are not filled by promotion, reinstatement, transfer or reduction under these rules by selecting from those graded highest, according to their standing, as the result of open competitive examinations, except as herein otherwise provided.

3. Whenever a position in the classified civil service is to be filled by appointment after a competitive examination an examination for fitness by or under the direction of the appointing officer may be held at any time for the subdivision in which the position is classified under the rules or regulations of the Commission. Upon notice by such officer that an examination for fitness is desired, the Commission shall immediately transmit to him the names of all persons then on the list of those eligible for merit in such subdivision.

Immediately upon the receipt of such a list, the appointing officer shall cause a competitive examination of such persons to be held, and, unless the examination is by the Commission, shall give notice to such persons to appear at a specified time and place for the purpose of being examined in relation to their fitness for the position named in such subdivision. The Commission, upon request of the appointing officer, will conduct and certify such examination for fitness and prepare the eligible list.

The maximum rating for fitness shall be fifty, and the minimum thirty-five. The rating for merit shall be added to the rating for fitness of each candidate. The result so obtained constitutes the eligible list for the particular subdivision, and appointments must be made therefrom in the order of the combined rating of each candidate. The person, officer or board conducting the examination shall, upon completing the eligible list, certify it to the Commission. If the examination for fitness is conducted by the Commission the eligible list prepared as the result of such examination shall be filed in its office, and within five days there-

after a certified copy thereof shall be delivered to the appointing officer who requested such examination. Such an eligible list shall continue for one year from the date of the filing of the merit list by the Commission as the eligible list from which appointments shall be made by such appointing officer from that subdivision, unless a new eligible list is prepared as herein provided; but the appointing officer may at any time hold or require other competitive examinations for fitness of the persons then remaining upon such eligible list, in the same manner and with like effect.

Unless the examination for fitness is conducted by the Commission, the appointing officer shall certify to the Commission that the ratings for fitness were determined by competitive examination as provided by law.

Whenever the sex of the persons whose names are to be certified is fixed by any law, rule or regulation, or is specified in the request for certification, the names only of those of the sex so fixed or specified shall be certified from the merit list but, in other cases, such certification shall be made of all persons without regard to sex.

4. In the selection, nomination, appointment or promotion of persons to fill positions in the classified service, no regard shall be paid to the partisan political opinions, affiliations or action of any person so selected, nominated, appointed or promoted.

5. Whenever there are urgent reasons for filling a vacancy in any office and there is no merit list from which an eligible list may be made, or in case all persons whose names are on such eligible list shall decline the appointment the head of the office may nominate a person to the Commission for noncompetitive examination, and if such nominee shall be certified by the Commission as qualified by merit, he may be appointed temporarily to fill such vacancy until a selection and appointment can be made from the proper eligible list; and if the head of the office upon the notification that such a merit list is on file with the Commission shall omit, within thirty days after such notice, to make an eligible list and an appointment therefrom, the position shall be considered vacant.

6. If a person who is not entitled to certification is certified and appointed, his appointment shall be immediately revoked by the appointing officer upon notification by the Commission.

7. An examination for merit will be held by the Commission when required and a new merit list will thereupon be made, containing the names of all persons appearing upon a former merit list who have notified the Commission of their desire to be continued upon such list, and also the names of such persons as shall have passed such new examination.

APPLICATIONS.

REGULATION V.

1. No person shall be admitted to any examination for merit for a classified position until he shall have filed an application under oath upon a form prescribed by the Commission and accompanied by such certificate as may be prescribed.

2. Every applicant for examination must be a citizen of the United States and an actual resident of the State of New York at the time of his application.

3. No application for examination shall be accepted unless the applicant is within the age limitations fixed by the Commission for entrance to the position to which he seeks to be appointed.

4. Whenever the application shows that the applicant is not within the prescribed limits of age or is otherwise not qualified under the rules and regulations, the application shall be rejected. The Commission may, in its discretion, refuse to examine an applicant, or to certify an eligible who is physically so disabled as to be rendered unfit for his performance of the duties of the position to which he seeks appointment; or who is addicted to the habitual use of intoxicating beverages to excess, or who has been guilty of a crime or of infamous or notoriously disgraceful conduct; or who has been dismissed from the service for delinquency or misconduct within one year next preceding the date of his application, or who has intentionally made a false statement in any material fact, or practiced or attempted to practice any deception or fraud in his examination or in securing his eligibility

or appointment. Any of the foregoing disqualifications shall be good cause for the removal of an eligible from the service after his appointment.

5. In applications for examination for positions requiring scientific, professional or technical qualifications, the Commission may require evidences of special education for, or of practical experience for a satisfactory term in, such science, profession, art or trade; and shall require the production of such certificates of competency and licenses as are provided by the statutes of this State as necessary to enable the practice of any profession, art or trade.

EXAMINATIONS FOR MERIT.

REGULATION VI.

1. All examinations by the Commission shall be of a suitable and practical character, involving such subjects as will fairly test the general qualifications of the applicant for the position for which he is examined, and may also include oral examinations or special tests for any particular position requiring any scientific, professional or technical knowledge or manual skill.

2. Whenever physical qualifications are of prime importance in the proper discharge of duties in any position, applicants must pass a physical examination and be certified as qualified in such respect, either before admission to examination, or before record in the proper merit list, or before certification for appointment, as the Commission may determine.

3. No person who has failed in any examination for a position in the classified service shall be admitted within one year from the date thereof to a new examination for the same position.

4. Examination papers shall be rated on a scale of 50, and the subjects therein shall be given such relative weights as the Commission may prescribe. After a competitor's papers have been rated he shall be duly notified of the results thereof.

MERIT LISTS.

REGULATION VII.

1. Every competitor who attains an average rating of 35 or over on all obligatory subjects in any examination for merit shall be eligible for examination for fitness for appointment to the position for which he was examined; and the names of eligibles shall be entered in the order of their average ratings on the proper merit list; provided that the names of the competitors who have passed as above, and whose claims for preference under section 9 of article V of the Constitution have been allowed by the Commission shall be placed in the order of their respective average ratings at the head of the proper merit list.

2. When two or more persons on a merit list have the same average rating, precedence on such list shall be determined by the order in which their applications were filed, but neither priority in the date of application nor of examination will give any other advantage in position on such list.

3. Within five days after the filing of a merit list, the Commission will notify each candidate whose name appears thereon of the date of such filing and the order of his standing on such list, and with such notice shall be served a copy of this rule. The deposit of such notice in the post-office at Troy, N. Y., properly addressed, with the postage paid, shall be deemed a sufficient service thereof. Each person whose name appears upon such merit list must notify the Commission at least once every three months, computing from the date of filing the list, that he is willing to accept an appointment, if tendered to him, and desires to have his name continued on such list. If such a notice is not received by the Commission, the name of the candidate shall thereupon be stricken from the list.

If a candidate whose name has been entered upon an eligible list declines or fails to accept an offer of appointment from any officer authorized to appoint from such list, he shall be deemed to have waived his right to appointment and his name shall be stricken from the list.

TERM OF PROBATION.

REGULATION VIII.

1. Every original appointment to or employment in any position in the classified service shall be for a probationary term of three months, and an appointing or nominating officer in notifying a person selected by him for appointment or employment shall specify the same as for a probationary term only; and at the end of such term, if the conduct, capacity and fitness of the probationer are satisfactory to the appointing officer, his retention in the service shall be equivalent to his absolute appointment, but if his conduct, capacity or fitness be not satisfactory, he may be discharged at any time.

2. Every officer under whom any probationer shall serve during any part of his probation shall carefully observe the quality and value of the services rendered by such probationer and his conduct, and, if so required, shall report in writing to the proper appointing officer the facts observed by him, showing the character and qualifications of such probationer and of the service rendered by him, and such reports shall be preserved on file.

TEMPORARY APPOINTMENTS.

REGULATION IX.

1. No temporary appointment or employment in the classified service shall be made or given except under the provisions of the fifth section of Regulation IV as herein provided. Every officer having the power of such employment shall, previous to making the same, certify to the Commission that the services to be rendered are of a temporary character and shall give the duration and character of the service to be rendered and the rate of compensation to be paid therefor. When the duration of services is certified not to exceed one month and the need of such service to be immediate and urgent, the appointing officer may select for such temporary service any person on the proper register of those eligible for permanent appointment; subject, however, to the provisions of law giving preference in appointment to certain persons.

2. The acceptance by an eligible of a temporary appointment shall not affect his standing on the eligible list for a permanent employment, nor shall the period of temporary service be counted as part of the probationary service in case of subsequent appointment to a permanent position.

SHORT-TERM POSITIONS.

REGULATION X.

1. All positions in the classified service where the nature of service is such that it is not continuous through the year, but recurs in each successive calendar year, shall be designated as short-term positions and shall be subject to the provisions of these rules applicable generally to positions in the classified service, except as herein otherwise provided.

2. Any person originally appointed to or employed in a short-term position, under the provisions of these rules, and who has been temporarily separated from the service by the expiration thereof in any year, shall be entitled to reappointment to or re-employment in the same position in the next ensuing year upon filing in the office of the Commission, in such form as it may prescribe, a request for such reappointment or re-employment within six weeks previous to and at least thirty days before the date of resumption of such short-term service. The Commission shall certify to the proper appointing or employing officer the names and post-office addresses of the persons who have made such formal requests, and they shall be reinstated in the positions vacated by them in the previous year in the order of the date of their original appointment or latest promotion in the several grades; provided, that in the meantime they are not disqualified from any of the causes recited in the fourth section of Regulation V.

PROMOTIONS.

REGULATION -XI.

1. Promotion shall in all cases be based upon the positive merits and fitness of the person promoted and upon his superior qualifications as shown by his previous service, due weight being given to seniority.

2. Whenever the head of an office shall deem a written competitive examination to be practicable as a factor in ascertaining the relative merit of those persons otherwise qualified for promotion to a vacancy in his office, the Commission on his formal application may hold such examination and certify the results to the head of the office for his information.

3. Promotions shall be made by regular and successive grades, but if there is no person fit for promotion in the next inferior grade, the selection shall be made from the second inferior grade, and if none there be found fit, then from the third inferior grade, and so on until a suitable person has been found in such grade or grades, or if there be none found in such inferior grades the vacancy shall be filled by appointment under these rules from the proper eligible list of those qualified for appointment to positions in the subdivision of the group wherein the position to be filled is classified.

4. No promotion can be made from a position in one class or group to a position in another class or group, unless the same be specially authorized by the Commission, but a person employed in any grade shall not because of his employment be barred from the open, competitive examination provided for original entrance to any other grade.

CERTIFICATES FOR PROMOTION, TRANSFER AND RE-INSTATEMENT.

REGULATION XII.

1. Upon the written request of an appointing officer, stating the essential facts in regard to any proposed promotion, transfer or reinstatement, the Commission will, if such promotion, transfer, or reinstatement be in accordance with law and the provisions of these rules, issue its certificate of that fact to such officer.

2. All promotions, transfers and reinstatements herein authorized shall be made only after the issuance of such certificate, except those which may be specially exempted from such condition by regulation of the Commission.

REPORTS OF APPOINTING OFFICERS.

REGULATION XIII.

For the purpose of certification of the Comptroller, or other fiscal officer, for the payment of salaries as required by law, and in order that the Commission may keep proper record of the service and of changes in it, each appointing and employing officer from time to time after the date of the promulgation of these rules and upon the date of the official action in or knowledge of each case, shall report to the Commission as required by law, and in such form and manner as it may prescribe, as follows:

(a) Every original appointment or employment whether probational, temporary, or otherwise, with the date of commencement of service and the compensation of the position;

(b) Every failure to accept an appointment under him by a person who has been duly certified, with the reason, if any given therefor;

(c) Every discharge at the end of the probationary term with the date thereof;

(d) Every vacancy in a position, whether caused by dismissal, resignation or death, with the date thereof;

(e) Every new position with the duties of the same, as defined in the rules, and the compensation therefor;

(f) Every position abolished with date of such abolition;

(g) Every change of compensation in a position, with the date thereof;

(h) Every change in the duties of a position that may require its reclassification with the date thereof;

(i) Every promotion, giving the positions from which and to which made, with the date thereof;

(j) Every transfer, giving the positions from which and to which made, with the date thereof;

(k) Every reinstatement in a position, with the date thereof.

CERTIFICATION TO FISCAL OFFICERS.

REGULATION XIV.

1. The Commission shall keep in its office an official roster of the classified Civil Service of the city of Troy, N. Y., and shall enter thereon the name of each and every person who has been appointed to, employed, promoted or reinstated in any position in such service upon such evidence as it may require or deem satisfactory that such person was appointed to, or employed, promoted or reinstated in the service in conformity with the provisions of law and of these rules, the official roster shall show opposite or in connection with each name the date of appointment, employment, promotion or reinstatement, the class, group, subdivision and grade of and the office in which and the compensation of the position, date of commencement of service, and the date of transfer in or separation from the service by dismissal, resignation, cancellation of appointment, or death.

2. Whenever the name of a person, appointed to or employed promoted, transferred or reinstated in any position in the classified service, is entered upon the official roster as provided above the Commission shall certify to the Comptroller or other fiscal officer duly authorized to pay or draw a warrant for the payment of the salary of such position, the name, position, office, compensation and date of commencement of service of the person so appointed, employed, promoted, transferred or reinstated; and in like manner shall certify to the officials aforesaid any separation of a person from the service, or other change therein, and the name of any person appointed or employed in the civil service of the city of Troy, N. Y., in violation of law or of the rules and regulations made in pursuance of law.

3. Upon satisfactory evidence that, with intent to evade the provisions of law and of these rules, any person appointed to or employed in any position in the classified service has been assigned to perform duties other than those for which he was examined and certified, the Commission shall cancel its certifications of such person by formal notice to the fiscal and appointing officers, and the appointment or employment of such person shall be void on and after five days from the date of such notice.

POWER OF APPOINTMENT AND REMOVAL.

REGULATION XV.

Subject only to the qualifications required to be ascertained in accordance with these rules, the power of appointment and the responsibility of selection are in all cases in the appointing officer. The power to remove (existing by law) on the part of any officer is not impaired by anything contained in these rules.

Pursuant to the statutes of this State to regulate the Civil Service thereof under chapter 428, May 15, 1897, our Board would submit for the approval of the mayor of the city of Troy, N. Y., and the State Civil Service Commission, the following new rules and regulations.

Respectfully submitted,

JOHN F. AHERN,

President.

JAMES C. GANLEY,

Secretary.

The foregoing regulations for the city of Troy having been duly examined are hereby approved.

FRANCIS MOLLOY,

Mayor of the City of Troy.

TROY, N. Y., *July 20, 1897.*

ALBANY, N. Y., *August 3, 1897.*

The foregoing regulations for the city of Troy, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

[L. S.]

CLARENCE B. ANGLE,

Secretary.

Civil Service Regulations of the City of Yonkers.

Adopted by the Board of Civil Service Examiners of the City of Yonkers, August 9, 1897.

Board of examiners—Edwin L. Thomas, president; Robert H. Neville, Secretary; Stephen T. Bell, George L. Christian.

REGULATION I.

These regulations shall apply to all positions in the public service of the city of Yonkers, with the following exceptions required by the statutes—all elective officers, police commissioners, water commissioners, school trustees, clerk to the board of education and his assistants, principals, teachers, librarians and janitors employed in the educational department of the city, inspectors of election, poll clerks, the deputy receiver of taxes, the fire commissioners, the excise commissioners, the board of health.

REGULATION II.

No person in the public service is for that reason under any obligations to contribute to any political fund or purpose, or to render any political service, and no person shall be removed or prejudiced for refusing so to do.

REGULATION III.

No person in the public service has the right to use his official authority or influence to coerce the political action of any person or body.

REGULATION IV.

The Civil Service of the city of Yonkers shall be classified as follows:

Schedule A shall include the following officers of the city: All officers nominated by the mayor and confirmed by the common council, except the building inspector, to wit: the city clerk, the city treasurer, the city attorney, the receiver of taxes, the city

auditor, the assessors, the commissioner of charities, the commissioner of public works, commissioners of deeds, pound keepers, scavengers, constables, fire wardens; all officers appointed by the common council, to wit: the page, the commissioners to assess for street improvements and sewers, the wharfinger; and all officers appointed by the city judge, to wit: the clerk of the city court and the marshal of the city court.

Schedule B shall include all clerks, copyists, bookkeepers and others rendering clerical services to the city and not included in schedule A, and all policemen, hostlers, doorkeepers and all persons employed in the police and fire departments of the city and all persons employed and appointed in the public service of the city and not specially included in schedules A and C, and shall include all persons whose duties are strictly professional, to wit: the inspector of boilers and examiner of engineers in the city of Yonkers, the engineers of the water department and assistants, the inspector of water meters, the health officer, the plumbing inspector, the assistant plumbing inspector, the medical and milk inspectors, the building inspector and his assistants.

Schedule C shall include all persons employed as laborers or day workmen.

REGULATION V.

For the purpose of ascertaining the qualifications of persons seeking or named for positions in the departments and offices of the municipal government to which these regulations apply, there shall be a board of examiners, which shall be composed of four citizens of Yonkers designated by the mayor, and not more than two of whom shall belong to the same political party.

The mayor may at any time substitute another citizen in the place of any one so designated by filing with the city clerk a written notification of such change; and the members of such board shall each be paid a salary not to exceed one hundred and fifty dollars (\$150) per year.

The board of examiners shall designate one of its members who shall act as the secretary of the board, and be paid an additional salary not to exceed fifty dollars (\$50) per year for such service.

It shall be the duty of such board of examiners to conduct all examinations called for under these regulations and to ascertain the merit of candidates for the service of the city in respect to character, knowledge and ability for the branch of the service which they seek to enter and to estimate and determine the relative excellence or standing of the persons examined, and to certify the same in such manner and form as may be prescribed.

The secretary of the board shall keep minutes of the proceedings, and all necessary records of applicants, their examinations and standings, and a complete record of all persons employed in the several departments to which these rules apply, and of all appointments, promotions, dismissals, resignations and changes of any sort therein.

REGULATION VI.

Appointments to positions in schedule A may be made without examination; but the appointing officers shall file with the secretary of the examining board within five days after any such appointment is made, a formal notification thereof in writing, setting forth the full name of such appointee; date and place of birth; length of residence in Yonkers; nature of previous employment; whether he has ever been in official service before, and, if so, when and where; date of beginning of service and term for which appointed; salary; name of person in whose place appointed, and such other statistical information as the said board may deem proper for registration; the same to be duly certified by the appointing officer. Within five days after such certification the secretary of the examining board shall notify the city auditor of such appointment, stating the salary to be paid such official.

REGULATION VII.

No person shall be appointed to or employed in any position in schedule B until he shall have passed the examinations for merit and fitness as provided therefor.

REGULATION VIII.

Applications of competitors for positions included in schedule B must be addressed to the "Secretary of the Municipal Service Examining Board, Manor Hall, Yonkers, N. Y.," and must be accompanied with the following papers:

First.—The affidavit of the applicant that he is of above the age of twenty-one years; that he is a citizen of the United States, and has resided continuously in the city of Yonkers for the last preceding year, stating the street and number of his residence, the extent, place and nature of his education, and also of his business training and experience, and whether he has ever been in official service before, and, if so, when and where.

Second.—A list of the optional subjects upon which he desires to be examined, if any; and a statement whether such application is limited to any particular office or offices in the service.

Third.—The certificate of not less than five reputable citizens of Yonkers, that they, individually, have been personally acquainted with the applicant for at least one year, and believe him to be of good moral character, of temperate and industrious habits, and in all respects fit for the service he wishes to enter, and that each such citizen is willing that such certificate should be published for public information.

Fourth.—The certificate of a practicing physician in good standing that he has examined the said applicant and found him free from any disease or physical defect that would impair his ability to render good and faithful service to the city.

REGULATION IX.

Registers of all applicants shall be kept by the secretary of the examining board. When the applicants on a register are in excess of such number as can be examined conveniently on the same day, the applicants will be notified to appear for examination in their order on the register.

REGULATION X.

Examinations.

Whenever the demands of the service may require, the examining board will notify the applicants on record, or such number thereof as can be examined conveniently at one time, to appear for examination, giving place, date and hour for such examination.

The general examination for admission to positions in Schedule B will be on the following subjects:

Obligatory.

1. Handwriting, as shown by copying from manuscript.
2. Writing from dictation.
3. English spelling, as shown in writing from dictation.
4. Arithmetic, viz.: Addition, subtraction, multiplication and division—all applicable to whole numbers and fractions.
5. Abstracting or digesting documents or letters into summaries.
6. Questions relating to Yonkers—concerning the local government, the location of streets, etc.

Optional.

7. Arithmetic applied, viz.: Practical problems in proportion, percentage, interest, discount and average.
8. Letter writing on subjects connected with Yonkers affairs. Grammatical correctness, clearness and brevity of expression will be considered.
9. Bookkeeping.
10. Special qualifications for employment in any specified department of City Government.

REGULATION XI.

Every applicant must be examined in the six obligatory subjects, and will be examined further in such of the optional subjects as he may designate or as the board may direct.

REGULATION XII.

The relative weight given to the several obligatory subjects in making up the average standing for merit will be as follows:

For clerks, copyists, etc.

Handwriting.....	3	40 per cent required.
Experience	1	
English spelling	2	35 per cent required.
Testimonials; character.....	1	
Arithmetic.....	1	35 per cent required.
Abstracting.....	1	40 per cent required.
Yonkers data; general intelligence.....	1	30 per cent required.
Total of weights	10	

Patrolmen, hostlers, doorkeepers, firemen, and all persons employed in the police and fire departments of the city, except the chief engineer of the fire department, the clerk of the fire board, the captain and sergeants of police, and the police surgeon:

Handwriting.....	1	30 per cent required.
Writing from dictation	1	30 per cent required.
Spelling	2	30 per cent required.
Arithmetic.....	2	30 per cent required.
Abstracting.....	2	30 per cent required.
Testimonials; character.....	1	
Yonkers data; general intelligence	1	35 per cent required.
Total of weights.....	10	

Chief engineer of the fire department; the captain and sergeants of police:

Handwriting.....	2	35 per cent. required.
Experience.....	2	
English spelling.....	2	30 per cent. required.
Arithmetic	2	30 per cent. required.
Abstracting.....	1	40 per cent. required.
Yonkers data; general intelligence	1	40 per cent. required.
Total of weights.....	10	

Inspectors of sewers, and regulating, grading and paving in the department of public works:

Handwriting.....	1	30 per cent. required.
Arithmetic.....	1	30 per cent. required.
Experience.....	2	
Technical	6	40 per cent. required.
Total of weights.....	10	

Assistant engineer, transitman, levelman, rodman and chainman in the department of public works:

Handwriting	1	30 per cent. required.
Mathematics	5	35 per cent. required.
Experience.....	2	
Spelling	1	30 per cent. required.
Technical	10	40 per cent. required.
Letter of at least 150 words on some engineering subject. 1	1	30 per cent. required.
Total of weights.....	<u>20</u>	<u> </u>

Special examinations will be provided for the health officer, the police surgeon, the medical, plumbing and milk inspectors, and for any other position not included in Regulation XII.

REGULATION XIII.

Each subject will be marked upon a scale of fifty, which number represents the maximum possible of attainment.

REGULATION XIV.

No person whose standing on any obligatory subject is less than 30, and whose ascertained average standing on all the obligatory subjects is less than 35, will be entered on the eligible list.

REGULATION XV.

Pursuant to chapter 428 of the Laws of 1897, in all examinations for appointment and promotion in the civil service of the city of Yonkers, merit and fitness shall be determined by open competitive examinations for all positions in Schedule B, as herein provided. The merit of all applicants shall be determined by examination conducted by the examining board. Upon all examinations to determine the merit of the applicants, no rating higher than 50 per centum shall be given to any person. Lists containing the names and rating of all applicants found on such examination to be eligible for appointment and promotion for merit shall be made up for certification to the person or persons holding the power of appointment or promotion in the manner provided in these regulations. The minimum percentage of rating necessary to entitle an applicant to a place upon such list as eligible for merit shall be 70 per centum of 50, or 35.

REGULATION XVI.

The fitness of applicants certified to be eligible for appointment or promotion for merit, shall be determined by examination, to be conducted by the person or persons holding the power of appointment or promotion, or by some person or board designated by the person or persons holding such power of appointment or promotion, and the rating on such examination for fitness shall not exceed in any case 50 per centum. The minimum percentage of rating necessary to entitle an applicant to a place upon such list as eligible for fitness shall be 70 per cent. of 50, or 35. The rating obtained upon the examination for fitness shall be added by the person or persons holding the power of appointment or promotion to the rating given to each applicant certified to be eligible for merit respectively by the examining board. The result of the combined ratings for merit and fitness shall be certified to the examining board by the person or persons holding the power of appointment or promotion in every case within five days after the date on which the result of the examination for fitness has been ascertained.

REGULATION XVII.

Where an examination for merit for any grade is had before the eligible list for that grade is exhausted, a new list shall be prepared after such examination. The persons upon the former eligible list who have not been examined for the new eligible list shall be respectively placed upon the new eligible list in the position to which the percentage of their aggregate markings upon their former examinations would entitle them if such markings had instead been given them upon the new examination.

REGULATION XVIII.

Whenever physical qualifications are of prime importance to the proper discharge of the duties in any position, applicants must pass an additional examination as to their physical condition and capacity and be certified as qualified in such respect before recorded on the proper eligible list for selections for the

position or before certification by the board of examiners as qualified for such selection.

REGULATION XIX.

Priority of date in examination will give no advantage; the name of the person standing highest on the eligible list will be certified for selection without regard to dates when examined.

No name shall remain upon the eligible list more than one year from the date of the filing of the merit list.

REGULATION XX.

As to appointments coming under Schedule C no examination shall be required, but all changes in the employes shall be reported to the board of examiners with reason for the changes, in order that their record of the municipal service may be at all times complete.

REGULATION XXI.

All appointments to positions under Schedule B shall be upon a probationary term of two months, at the end of which time, if the conduct and capacity of the person shall have been found satisfactory, the probationer shall be absolutely appointed or employed, but otherwise his employment shall cease.

REGULATION XXII.

All examinations, whether for merit or for fitness, shall be practical in their character, and shall relate to those matters which shall fairly test the intelligence, competency, suitability and character of the applicants to discharge the duties of the service for which they seek to be appointed. The examining board, with the approval of the Civil Service Commission of the State, shall determine when examinations are not practicable, and when competitive examinations are not practicable, in cases relating to the civil service of the city of Yonkers.

REGULATION XXIII.

All eligible lists existing prior to May 15, 1897, for appointment or promotion in the civil service of the city of Yonkers, shall be continued in full force and effect and may be certified to the person or persons holding the power of appointment or promotion, provided, however, that the ratings therein given shall be divided by two, and the result of such division shall be the rating for merit, as determined in Regulation XV, and the fitness of such applicants shall then be determined by examination and their standing ascertained and preference in appointment or promotion given, according to the provisions of Regulation XVI, Regulation XXIV and Regulation XXV.

REGULATION XXIV.

Applicants examined as in these regulations provided shall be preferred for appointment and promotion according to their standing ascertained by adding together the rating for merit and the rating for fitness. For each appointment or promotion one name shall be certified by the examining board to the person or persons holding the power of appointment or promotion, and such name shall be that of the person the result of whose combined ratings for merit and for fitness is highest in the examination for the position to which the appointment or promotion is to be made, provided, however, that the preference accorded to veterans of the late war by the Constitution and Laws of the State of New York, and by Regulation XXV, shall be regarded in said certification.

REGULATION XXV.

Persons who have been honorably discharged from service in the army or navy of the United States in the late war shall be preferred for appointment to positions in the civil service over other persons of equal standing, as ascertained under these regulations, and the person thus preferred shall not be disqualified from holding any position in the civil service on account of his age, or by reason of any physical disability, provided such

disability does not render him incompetent to perform the duties of the position applied for.

The civil service acts, as amended by chapter 410 of the Laws of 1884, as amended by chapter 29 of the Laws of 1886, provide, etc.:

That "persons who served in the army and navy of the United States in the late war, and have been honorably discharged therefrom, * * * shall be certified as such, by the commissioners, board or officer authorized to report names for appointment, to the appointing officer or other appointing power, and shall be preferred for appointment to positions in the civil service of the State, and of the cities affected by this act and the several acts hereby amended, over all other persons, though graded lower than others so examined and reported, provided their qualifications and fitness shall have been ascertained as provided under this act and the several acts hereby amended; and the person thus preferred shall not be disqualified from holding any position in said civil service on account of his age, or by reason of any physical disability, provided such age or disability does not render him incompetent to perform the duties of the position applied for. Whenever it shall appear after a competitive examination for appointment to a position in the civil service of the State, or of the cities affected by this act and the several acts hereby amended, that more than one such honorably discharged soldier or sailor is qualified to fill the same, the commissioners, board or officer authorized to report names for appointment, shall certify to the appointing officer or the appointing power, all such honorably discharged soldiers or sailors, whose qualifications and fitness have been ascertained as aforesaid, specifying their respective grades in such examination."

REGULATION XXVI.

No temporary appointment to a position within Schedule B shall be made of any one not eligible for permanent appointment, excepting that in case of exigency, upon the certificate of the chairman of the commission, that there are no candidates upon

an eligible list for the position, and with the approval of the mayor, such temporary appointment may be made, and the appointee may hold office thereunder until an eligible list is prepared, and such eligible list shall thereupon be forthwith prepared and the position shall then be filled from such eligible list.

The name of a person on an eligible list, who has received a temporary appointment shall, notwithstanding such appointment, be deemed to still remain upon the eligible list for the purpose of his certification for a permanent appointment, in like manner as if he did not hold such temporary appointment. No temporary appointment shall continue more than two months, except as hereinbefore provided, and except in such cases where the board of examiners shall certify a longer continuance of such temporary appointment to be necessary for the public service.

REGULATION XXVII.

If a person, who is not entitled to certification, is certified and appointed, his appointment shall be immediately revoked by the appointing officer, upon notification by the examining board.

REGULATION XXVIII.

No person who has failed in any examination for a position in the classified service shall be admitted within six months from the date thereof to a new examination for the same position.

REGULATION XXIX.

New Positions.

All new positions created at any time by the needs of the service in any department must be filled by competitive examinations.

REGULATION XXX.

Promotions from the lower grades to the higher shall be on the basis of merit and fitness in open competitive examination.

REGULATION XXXI.

Every false statement knowingly made by any person in his application for examination, and every connivance by him at any false statement made in any certificate which may accompany his application, or wilful complicity in any fraud designed to improve his standing upon examination, shall be regarded as good cause for the removal or discharge of such person.

REGULATION XXXII.

No one dismissed from the service for misconduct shall be admitted to examination for appointment in any capacity in any department of the municipal service within two years.

REGULATION XXXIII.

No recommendation or question under the authority of these regulations shall relate to the political opinions or affiliations of any person whatever; neither shall political opinions be considered by the appointing officer in determining his selection among candidates certified for appointment.

REGULATION XXXIV.

The board shall have the power to employ expert examiners when necessary, providing it does not entail an expenditure of more than fifty dollars in any one year.

REGULATION XXXV.

The right is reserved by this board to alter or modify these regulations as, in their judgment, the needs of the service may require, such changes or modifications to take effect after one week's publication thereof in the corporation newspapers, upon the approval of the Civil Service Commission of the State of New York.

Approved:

JNO. G. PEENE,
Mayor.

YONKERS, N. Y., Aug. 24, 1897.

ALBANY, N. Y., *Sept.* 15, 1897.

The foregoing Civil Service regulations for the city of Yonkers, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

[L. S.]

JOHN C. BIRDSEYE,
Secretary pro tem.

APPENDIX H.

1. OPINIONS OF THE ATTORNEY-GENERAL—1897.
 2. DECISIONS OF THE SUPREME COURT AND COURT OF APPEALS—1897.
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Opinions of the Attorney-General—1897.

CIVIL SERVICE—BOARD OF EXAMINERS—COMPENSATION OF EXAMINERS—AUTHORITY OF THE COMMISSION TO EMPLOY EXAMINERS.—One person would not constitute a "board of examiners:" persons in the official service not entitled to compensation for services as examiners. Persons who prepare questions are not examiners unless members of boards of examiners.

STATE OF NEW YORK,

ATTORNEY-GENERAL'S OFFICE,
ALBANY, *February 3, 1897.* }

HON. JAMES A. ROBERTS, *Comptroller, Albany, N. Y.:*

Dear Sir.—You ask my opinion upon the following questions: "1. Can the Civil Service Commission appoint one person instead of several persons as a board of civil service examiners for the purpose of conducting civil service examinations, in addition to the chief examiner? 2. Are all examiners so appointed entitled to compensation and expenses? 3. Is the person who prepares the question papers an 'examiner,' and as such is he entitled to more than \$5.00 per day? 4. Is the person who examines the papers of applicants an 'examiner,' and is he entitled to more than \$5.00 per day? 5. Are any of the above mentioned persons who may be in the State or municipal employ entitled to compensation, and are any such entitled to expenses?"

The law creating the Civil Service Commission (chapter 354, Laws of 1883), authorized the Governor, by and with the advice and consent of the senate, to appoint three commissioners, to constitute, "the New York Civil Service Commission," each of said commissioners to receive a salary of \$2,000 a year and the necessary traveling expenses. Their duties are defined by this law, among which are: "Aiding the Governor in the preparation of suitable rules for carrying the law into effect;" subject to such rules; "to make regulation for and have control of examinations, and through its members or examiners, it shall supervise and preserve the records of the same."

Section 37 of this law, as amended by chapter 357, Laws of 1884, authorizes the commissioners "to employ a chief examiner, a part of whose duty it shall be, under its direction, to act with the examining boards so far as practicable, whether at Albany or elsewhere, and to secure accuracy, uniformity and justice in all their proceedings, which shall be at all times open to him." The chief examiner is to be paid a salary and expenses. The Commission is also authorized to employ a secretary, a stenographer and a copyist, for whom compensation is provided. This section further provides that "the Commission may at Albany and in any other part of the State where examinations are to take place, designate and select a suitable number of persons in the official service of the State of New York, after consulting with the head of the department or office in which such person serves, or in its discretion, persons not in the official service, to be members of boards of examiners, and may at any time substitute any other person in or out of such service in the place of anyone so selected. Any person not at the time in the official service of the State, or any political division thereof, serving as a member of the board of examiners shall be entitled to compensation for every day actually and necessarily spent in the discharge of his duty as examiner at the rate of \$5.00 a day; but the aggregate compensation of any such examiner shall not exceed \$100 in any one year."

I am unable to find any warrant in the law for the employment by the Civil Service Commission of any other person except a messenger to aid in the discharge of the duties connected with the matters relating to the Civil Service Commission.

Answering your questions seriatim, I will say:

First.—The Commission should appoint more than one person to compose a board of examiners. "A board" is defined: "A committee of persons organized under authority of law." (Black's Law Dictionary, 141.) It is clear, therefore, that one person would not be a "board."

Second.—Each examiner not at the time in the official service of the State or of any political division thereof is entitled to compensation as provided by section 3. Persons in the official ser-

vice of the State or any political division thereof are not entitled to compensation therefor while serving as a member of an examining board.

Third.—The persons who prepares the question papers is not an examiner unless he is a member of an examining board, and if not a member of such a board, he is not entitled to the compensation of an examiner. It is quite apparent to me from a careful reading of the law, that it was intended that the question papers should be prepared by the Civil Service Commission or its chief examiner, by them, delegated to the board of examiners as a part of its duties relating to the examinations.

Fourth.—I have no doubt that the papers containing an examination may be passed upon by the Commission or chief examiner or they may be referred to the board of examiners to pass upon, but when examined by any other person, such person is not entitled to compensation therefor.

Your last question is fully answered by the foregoing.

Yours very truly,

(Signed)

T. E. HANCOCK,

Attorney-General.

CIVIL SERVICE—CHIEF OF POLICE, NEW YORK CITY—CLASSIFICATION UNDER THE RULES.—
The classification of Chief of Police in Class I, not in contravention of the civil service rules.

STATE OF NEW YORK,

ATTORNEY-GENERAL'S OFFICE,

ALBANY, *September 23, 1897.* }

CLARENCE B. ANGLE, Esq., *Secretary Civil Service Commission,*
Albany, N. Y.:

My Dear Sir.—I am in receipt of your letter of the 18th instant, enclosing a copy of Civil Service regulation No. 10 of the police department of the city of New York, which was approved by the New York Civil Service Commission September 15th of this year. You request my opinion as to whether this regulation, as approved by the Civil Service Commission, will exempt the office of the chief of police from the competitive list of appointments,

and if such exemption is in accordance with the Civil Service provisions of the Constitution and Statutes of the State. The regulation under consideration relates to promotions in the police department of the city of New York, and as far as here material reads as follows:

"1. Promotions of officers and members of the police force shall be made by the board of police on grounds of "seniority, meritorious police service and superior capacity.

"2. Promotions shall be made as follows: Sergeants of police shall be selected from patrolmen assigned to duty as roundsmen; captains from among sergeants; inspectors from among captains; deputy chief of police from among inspectors and captains; chief of police from among deputy chief, inspectors and captains, provided that whenever a vacancy shall occur in the office of chief of police, the office shall be filled by resolution of the board of police commissioners by appointment of the deputy chief of police or from among the inspectors and captains.

"3. The merit of applicants for promotion shall be determined by examination conducted by the police board, and the fitness of such applicants as shall be certified to be eligible for promotion for merit shall be determined by examination to be conducted by the board of police."

The remainder of the regulation relates to the nature or method of the examination to be conducted for the purpose of ascertaining the merit and fitness of applicants for promotion, which examinations are to be competitive. From a consideration of the language used, and hereinbefore quoted, I think provision has been made for exempting the office of the chief of police from the competitive class. The line of promotion is clearly stated: Sergeants from roundsmen; captains from sergeants; inspectors from captains; deputy chief of police from inspectors and captains; chief of police from deputy chief, inspectors and captains. Special provision appears, however, to have been made with reference to the appointment of the chief of police, to the effect that whenever a vacancy in that office shall occur it shall be filled by resolution of the board of police commissioners by ap-

pointment of the deputy chief of police, or (by appointment) from among the inspectors and captains. It can hardly be claimed that the particular phraseology used concerning the appointment of the chief relates to the mere formal act of adopting a confirmatory resolution after that officer has been selected from the competitive class. It evidently relates to the method of selection and is not used concerning any other position in the police department. I have no doubt that the framers of the regulation intended to except the chief from the competitive list, and while it may be true that this intent could have been expressed more clearly and explicitly, I am of the opinion that a fair construction of the whole regulation would authorize an appointment to fill a vacancy in the office of chief without a preliminary competitive examination.

The language incorporated in this regulation has been taken nearly verbatim from section 266 of the original consolidation act. (Chapter 410 of the Laws of 1882, as amended by chapter 569, Laws of 1895.) This section specifies a method of filling a vacancy in the office of chief of police, which is inconsistent with a competitive civil service examination.

You further inquire whether such exemption is permissible under the Constitution and statutes of the State. I assume from your communication that the regulation was drafted by the proper authority in the city of New York before receiving the approval of the State Civil Service Commission.

Chapter 428 of the Laws of 1897 contains specific regulations relating to examination of persons seeking to enter the civil service of the State and the cities thereof. Section 4 of this chapter after declaring that all examinations shall be competitive so far as practicable, provides:

“The Civil Service Commissioners of the State with the approval of the Governor shall determine when examinations are not practicable and when competitive examinations are not practicable in cases relating to the civil service of the State; the Civil Service Commissioners or boards of cities with the approval of the Civil Service Commissioners of the State shall determine

when examinations are not practicable and when competitive examinations are not practicable in cases relating to the civil service of cities."

We have here an express authority conferred upon the Civil Service Commissioners or boards of cities, with the approval of the Civil Service Commissioners of the State, to determine the practicability of examinations, whether competitive or noncompetitive. It is true that in this particular instance of the office of chief of police we have no express declaration concerning the practicability of a competitive examination; but the method pointed out for filling a vacancy in that office appears to be equivalent to a determination that a competitive examination is not desirable or practicable. Referring now to the Civil Service Law (Laws 1883, chapter 354, and amendments) the Governor is authorized to appoint Commissioners to aid him in preparing suitable rules for appointments to the civil service of the State. The statute directs that the rules shall provide and declare as nearly as conditions of good administration will warrant for open competitive examinations, and for noncompetitive examinations when competition may not be found practicable. Section 6 of the law makes it the "duty of the Governor to cause to be arranged in classes the several clerks, and persons employed or being employed in the public service, for the purposes of the examinations herein provided for, and he shall include in one or more of such classes, so far as practicable, all subordinate places, clerks and officers in the public service of the State." In a similar manner section 8 of the same act directs the mayor of each city of the State to prescribe regulations for admission of persons into the civil service and authorizes him to employ suitable persons to conduct inquiries and make examinations. The mayors of the respective cities are required to arrange in classes the several clerks and persons employed or being in the public service of the city, and to "include in one or more of such classes, so far as practicable, for the purposes of the examination herein provided for, all subordinate clerks and officers in the public service of the said city to whom his power under this act

extends." The law clearly indicates that there are positions in the civil service of the State, and the various cities thereof, that it is not practicable to fill to the best advantage of good administration through the medium of civil service examinations. Civil service rules have accordingly been adopted governing the admission of subordinates into the State service, as well as of the different cities of the State, providing exemption from the competitive examinations and also from noncompetitive examinations. The framers of the civil service section of the Revised Constitution evidently had in mind these provisions of the law, as well as the fact that numerous positions in the civil service of the State, and in the different cities, were excepted from the classes wherein a preliminary examination is required. The Constitution therefore was made to read (article V, section 9): "Appointments and promotions in the civil service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive."

In the case of *Chittenden v. Wurster*, 152 N. Y., 345, Judge Haight, speaking for a majority of the court, has repeated the doctrine laid down in the matter of *Keymer*, 148 N. Y., 219, that it was evidently contemplated by the framers of the Revised Constitution that there were positions in which the civil service examination was not practicable, and speaking concerning certain positions in the city of Brooklyn which were exempted from the rules providing for examinations, says: "A candidate may be ever so competent and still lack many of the necessary elements of a trustworthy officer; he may be ever so learned and still lacking in judgment and discretion; he may be discreet and still without character; he may be honest and yet meddlesome and a person in whom you could not confide. To our minds the framers of the Constitution or of the statutes never contemplated or intended that a competitive examination was practicable for such a position." This reasoning, in my opinion, applies with much more force to the office of chief of police of the city of

New York. The importance of this office cannot be stated too strongly. The chief is, in fact, the commanding officer of 5,000 men whose duty it is to protect the lives and property of two millions of people. Many of the officers of the police force might be able to pass a perfect civil service examination and be well qualified to fill a subordinate position, but entirely incompetent to assume the responsible duties of the chief of the department. I am, moreover, of the opinion that this office comes within the general exceptions specified in section 8 of the Civil Service Law, which, in my judgment, is entirely consistent with the provisions of the Constitution. "Officers elected by the people, and the subordinates of any such officer, for whose errors or violation of duty said officer is financially responsible, and the head or heads of any department of the city government, and persons employed in or who seek to enter the public service under the educational departments of any city, and any subordinate officer who, by virtue of his office, has personal custody of public moneys or public securities, for the safe-keeping of which the head of an office is under official bonds, shall not be subject to the regulations prescribed pursuant to this section, nor shall any regulations contravene an existing statute relating to entrance to said service." I think that the chief is one of the heads of the department of the city government within the meaning of this section. His duties are defined by the statute in part as follows: "Section 266. The superintendent of police shall be the chief executive officer of the force, and shall hereafter be designated as chief of police. * * * The chief of police shall be chargeable with and responsible for the execution of all laws and the rules and regulations of the department. He shall assign to duty the members of the uniformed force, and shall have power to change such assignment from time to time, whenever, in his judgment, the exigencies of the service may require such change. He shall have power to suspend, without pay, pending the trial of charges, any member of the uniformed force." * * *

Strictly and technically speaking the head of the police department is the police board, consisting of the four police commis-

sioners. The chief may be properly designated as the executive head. I am satisfied that the exemption of this office from the competitive list in the classified service is not in contravention of the Civil Service Laws or the Constitution of the State, and that the position might be legally excepted from the civil service regulations of the city.

Yours very truly,

T. E. HANCOCK,

Attorney-General.

STATE OF NEW YORK.

ATTORNEY-GENERAL'S OFFICE,

ALBANY, N. Y., November 8, 1897. }

CHARLES S. FOWLER, *Chief Examiner, Civil Service Commission,*
Albany, N. Y.:

Dear Sir.—I have your letter in which you ask if the office of surrogate of Kings county is in the Civil Service of the State and subject to the rules and regulations of the State Civil Service Commission or whether it is an office of the county and so exempt from the jurisdiction of said Commission under Civil Service Rule 25.

Permit me to say that a surrogate is distinctively a county officer. See section 15, article VI of the Constitution; also article XII of chapter 18 of the general laws.

Civil Service Rule 25 provides that "These rules shall not apply to the officers of counties, towns or villages."

It would seem, therefore, that the office of surrogate is not within the jurisdiction of the State Civil Service Commission.

Respectfully,

T. E. HANCOCK,

Attorney-General.

STATE OF NEW YORK.

ATTORNEY-GENERAL'S OFFICE

ALBANY, N. Y., December 17, 1897. }

HON. C. B. ANGLE, *Secretary, Civil Service Commission, Albany, N. Y.:*

Dear sir.—I have carefully considered your communication relating to the jurisdiction of the New York Civil Service Commission over the appointments in the city court and court of general sessions of New York city. I am satisfied that under the provisions of the Civil Service Law, the appointments in the city court and court of general sessions of the city of New York come under the jurisdiction of the Civil Service Commission of the city of New York. They are clearly municipal officers, and are subject to the regulation relating to municipal civil service.

Respectfully,

T. E. HANCOCK,

Attorney-General.

Decisions of the Supreme Court and Court of Appeals — 1897.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* WILLIAM NUTALL, *Respondent*, v. ADOLPH SIMIS, JR., AND OTHERS, *as Commissioners of Charities and Corrections of the City of Brooklyn Appellants*.

Appellate Division, Second Department, June Term, 1897.

(18 App. Div. 199.)

▲ CITY EMPLOYEE DISCHARGED FROM MOTIVES OF ECONOMY—NOT REINSTATED.—A tinsmith, employed by the commissioners of charities and corrections of a city, who is discharged by them and his position abolished simply from motives of economy, the work which he formerly did being subsequently performed by the prisoners of a county penitentiary, effecting a saving to the city of several hundred dollars, is not entitled to be restored to his position.

Appeal by the defendants, Adolph Simis, Jr., and others, as commissioners of charities and corrections of the city of Brooklyn, from an order of the Supreme Court, made at the Kings county trial term, upon the trial of issues arising on the return of an alternative writ of mandamus, entered in the office of the clerk of the county of Kings, on the 30th day of January, 1897, directing that a peremptory writ of mandamus issue to the defendants, commanding them to restore the relator to his position as a tinsmith in the department under their charge, and also from an order entered in said clerk's office on the 30th day of January, 1897, denying the defendant's motion for a new trial made upon the minutes.

John A. Quintard, for the appellants.

Horace Graves, for the respondent.

Per Curiam: The only question which arises upon this appeal relates to the good faith of the appellants. Did they act in good faith when, on July 29, 1896, they adopted the resolution abolishing the position of tinsmith in the department and declaring that after the ensuing first of August, all work formerly performed by the discharged tinsmiths should be done by prisoners in the Kings County Penitentiary? If they thus abolished the relator's position from motives of economy, he has no grievance which the

courts are called upon to redress. (People ex rel. Corrigan v. The Mayor, 149 N. Y. 215, 225; People ex rel. McCanna v. Commissioners, 1 App. Div. 3; People ex rel. Reynolds v. Squier, 10 id. 416; People ex rel. Traphagen v. King, 13 id. 400.)

We are of the opinion that the evidence before us in this record is not sufficient to maintain the finding of the jury to the effect that the commissioners of charities and corrections acted in bad faith in this matter. It appears that since the relator was discharged, all the tinsmith's work done in the department has been performed by inmates of the public institutions, whose labor costs the city nothing, with the exception of a little work, representing an expenditure of between seventeen and eighteen dollars, which was merely incidental to contracts for roofing and putting up skylights. At the time of the trial, the saving which had already been effected amounted to several hundreds of dollars, so that the change was clearly in the direction of economy. The suggestion in the relator's testimony that Commissioner Simis on one occasion manifested personal hostility toward him is denied by Mr. Simis; and so far as the other commissioners are concerned, who constituted the majority, there is not a scintilla of evidence that they entertained toward him the slightest ill-will. The presumption is that these public officers did their duty, and on the proof before the jury that presumption should have prevailed.

The order appealed from must be reversed and a new trial must be granted upon the issues under the alternative writ of mandamus.

All concurred, except Goodrich, P. J., not sitting.

Order appealed from reversed and new trial granted upon the issues under alternative writ of mandamus, costs to abide the event.

WILLIAM NUTALL, *Plaintiff*, v. ADOLPH SIMIS, *et al.*, *Defendants*.
(Supreme Court, Kings Trial Term, December, 1897.)

(21 Misc. Rep. 19.)

1. **VETERANS.**—A tinsmith, paid by the day, may be removed arbitrarily. The provisions of the Laws of 1886, chapter 119, as amended by chapter 577 of the Laws of 1892, providing that a veteran, who holds a salaried position, shall not be removed from it except for cause shown, and after a hearing had, do not apply to a tinsmith, a veteran appointed by a board of commissioners of charities and corrections and paid at a per diem rate.

2. **COUNTY COMMISSIONERS.**—Not liable in tort for removing such a veteran.

Seemle, that where such commissioners again remove such an employee, after his prior removal, and subsequent reinstatement by a writ of peremptory mandamus, they are not liable to him as for a tort, as they exercise quasi-judicial functions in determining whether or not he is a veteran, and their discharge of him from a position, for which he had no contract, is not a direct injury to his person nor to his estate.

Motion for a new trial, the complaint having been dismissed as not stating facts sufficient to constitute a cause of action. It alleged that the plaintiff was appointed as a tinsmith by the Board of Commissioners of Charities and Corrections of Kings county, a corporate board composed of defendants as commissioners, at the compensation of \$2.75 a day; that there was permanent need for the employment of a tinsmith under the said board; that the plaintiff was an honorably discharged soldier of the late war of the rebellion, and, therefore irremovable from such employment except for cause after a hearing; that the defendants removed him without cause or hearing on January 13, 1894, and employed others in his stead. That he was restored to his place on April 10, 1896, by a peremptory writ of mandamus against the said board, issued upon a final order entered after a trial of issues raised by a return to an alternative writ which he had obtained. Damages for such removal are prayed for.

Horace Graves, for plaintiff.

John A. Quintard, for defendants.

GAYNOR, J.: By chapter 119 of the Laws of 1886, as amended by chapter 577 of the Laws of 1892, no honorably discharged soldier, sailor or marine, who "served as such in the Union army or navy during the war of the rebellion, or the Mexican war, and who shall not have served in the Confederate army or navy," who holds "a position by appointment in any city or county of this state, receiving a salary from such city or county," shall be removed except for cause shown after a hearing had. This in

so many words relates only to salaried positions, and it has twice been held not to apply to persons employed by the day for wages. (*Meyers v. Mayor*, 69 Hun, 291; *Matter of Wagner*, 7 App. Div., 203). If the adjudication in the mandamus proceeding against the corporate board, by which the plaintiff was restored to his place, necessarily embraced this question, nevertheless it is not binding in this action of tort against the commissioners individually. But in addition to such interpretation of the statute, I had in mind in dismissing the complaint other legal principles which seemed applicable. The dismissal of the plaintiff by the defendants involved a determination by them of the question of law whether his case came under this statute, granting that he was a veteran of the kind described and limited therein; and also of the question of fact whether he was such a veteran. The duty of so determining was *quasi-judicial*, and for its performance the defendants cannot be held responsible in damages, even though they were intentionally, or even maliciously, guilty of misfeasance therein. (*Weaver v. Devendorf*, 3 Den., 121). *Quasi-judicial* functions lie between those which are judicial and those which are ministerial, and the boundary lines between these different zones are sometimes indistinct. But they seem to me visible enough here. Even in the case of bids for contracts, "ascertaining whether plaintiff was the lowest bidder," without regard to whether he is a responsible bidder, is said to be *quasi-judicial* (*East River Gas L. Co., v. Donnelly*, 93 N. Y., 577), and the same is the case with assessors in assessing persons or property exempt from taxation, providing they are not without jurisdiction to act in the premises at all (*Vail v. Owen*, 19 Barb., 22; *Brown v. Smith*, 24 id., 419; *Bell v. Pierce*, 48 id., 51; *Id.*, 51 N. Y., 12; *Barhyte v. Shepherd*, 35 id., 238; *Parish v. Golden*, id., 462; *Throop on Pub. Officers*, sections 541, 738).

Without so deciding, I suggest another rule which may stand in the plaintiff's way. It is true that since the conflict between the cases of *Adsit V. Brady*, 4 Hill, 630, and *Garlinghouse v. Jacobs*, 29 N. Y., 297, was settled, the law has been that a public officer is liable in damages for any injury caused directly by his

nonfeasance or misfeasance alike, to an individual in his person or property. (*Hover v. Barkhoof*, 44 N. Y., 113; *Bennett v. Whitney*, 94 id., 302; *Bryant v. Town of Randolph*, 133 id. 70). But such liability seems to be confined to direct injury to "person or estate" caused by the tort. (*East River Gas L. Co. v. Donnelly*, 93 N. Y. 561.) It is doubtful if this case comes under that head. Was the plaintiff damaged in his estate by the tort alleged? He lost his place by it; but he had no contract for the place, nor is this an action for breach of contract. An official who refuses to give the advertising matter of his office to a newspaper which is entitled to have it by statute, and to be paid for publishing it (or who, on the same principle, takes it away from such newspaper), and wrongfully gives it to another newspaper instead, is not liable to an action for damages therefor. (*Strong v. Campbell*, 11 Barb., 135; *People ex rel. Francis v. Common Council*, 78 N. Y., 33). Why does not the same principle apply in the case of a refusal to employ or of a dismissal by a public officer of one entitled to preference of employment under him in the public service?

The motion for a new trial is denied.

Motion denied.

Supreme Court—Kings County Special Term.

SIMEON B. CHITTENDEN AND OTHERS, *against* FREDERICK W. WURSTER, AS MAYOR OF BROOKLYN, AND OTHERS.

November, 1896; memorandum by Justice Keogh.

The questions presented for decision in this case are:

FIRSTLY.—Is it practicable to ascertain by competitive examination the merit and fitness of a person to be appointed to the position filled by each of the defendants?

SECONDLY.—Is the action of the Mayor of Brooklyn in placing each of such positions filled by the several defendants in the non-competitive class subject to review by this court—and if so

THIRDLY.—Is this the proper form of action in which to review the action of the Mayor?

I decide as follows:

First. That the oral testimony and documentary evidence in this case prove very clearly that it is practicable to ascertain by competitive examination the merit and fitness of a person to

be appointed to each of the positions filled by the several defendants.

Second. That the action of the mayor of Brooklyn in placing such positions in the non-competitive class and requiring them to be filled therefrom without competitive examination is illegal, and as such is subject to review by this court.

Third. That this is the proper form of action in which to review the action of the mayor.

It would be a most interesting task to review the history of the struggle to establish the Civil Service merit system in this State from its timid beginning until 1895, when it found lodgment in the State Constitution, but I consider it my sole duty, while holding Special Term, to plainly decide each material question of law and fact presented by the pleadings and proof.

MARTIN J. KEOGH,
J. S. C.

SIMEON B. CHITTENDEN AND OTHERS, *Respondents*, v. FREDERICK W. WURSTER, AS MAYOR OF THE CITY OF BROOKLYN, AND OTHERS, *Appellants*.

Appellate Division, Second Department, February Term, 1897.

(14 App. Div. 483.)

CIVIL SERVICE LEGISLATION — the constitutional provisions are self-executing — they were enacted in contemplation of existing statutes — all appointments must be made by competitive examination, as far as practicable — the Governor and the mayors of cities are not the final arbiters of the question — review by the court — practicability of competitive examinations is a question of law — presumption that an administrative officer has done his duty — positions may be filled by competitive examinations — confidential positions.

The provisions of section 9 of article 5 of the Constitution of 1894, relative to the Civil Service, are self-executing and are not dependent upon the action or non-action of the legislative body.

The Constitution of 1894 was enacted in contemplation of the then existing Civil Service statutes, but those statutes are not conclusive as to the method in which appointments or promotions in the Civil Service are to be made; and, in so far as the classification of appointments to office under them was discretionary, the provisions of the Constitution have superseded the statutes and require that all appointments in the civil service shall be made by competitive examination "so far as practicable."

The fact that those statutes imposed upon the Governor and the mayors of cities the assignment of appointees to various classes did not constitute those officers the final arbiters of the question, whether or not in any particular case an examination or competitive examination was practicable.

The Legislature could impose the duty of classification upon other officers; and, although the duty is undoubtedly an administrative one, if the action of the administrative officer conflicts with the Constitution, the courts, when the question is brought before them, must hold his action void. To this extent only can the courts review the administrative action of such an officer.

When the particular character and functions of an office or position are ascertained, the question whether competitive examination or appointment for that place is practicable or not is one to be determined by the court as a matter of law, in the light not only of the proof, but of common knowledge as applied to the subject-matter.

It will be presumed that an administrative officer, in determining the question whether an examination of a candidate for office is practicable, has done his duty, subject to the rule that under the Constitution competitive examination is the rule and exemption therefrom the exception.

It is practicable to fill, by competitive examination, such positions as a clerk to committees in the board of aldermen, a dock-master in the department of finance, a chief clerk in the department of audit, a law clerk in the department of law, a surveyor in the department of assessment, a finance clerk in the department of health, a license fee collector in the fire department, a secretary in the department of buildings, a stamp clerk in the water bureau department of city works, and a license clerk or deputy license clerk in the city clerk's office.

It is possible that a warrant clerk to the comptroller, whose duty it is to present warrants to the comptroller for signature, may be deemed a confidential clerk, and, therefore, exempt from competitive examination; but assuming this to be so, the comptroller cannot, by appointing a large number of warrant clerks, divide a duty which is confidential and in this manner obtain exemption for all and evade compliance with the State Constitution and the Civil Service statute.

Seemly, that there may be confidential positions of such a nature that the incumbent would not be exempt from a Civil Service examination.

Appeal by the defendants, Frederick W. Wurster, as mayor of the city of Brooklyn, and others, from a judgment of the Supreme Court in favor of the plaintiffs, entered in the office of the clerk of the county of Kings on the 4th day of January, 1897, upon the decision of the court rendered after a trial at the Kings county special term, enjoining and restraining the payment of salaries to certain of the defendants.

Joseph A. Burr, for the appellants, Frederick W. Wurster, as mayor and others.

Albert G. McDonald, for the appellant, Perry.

George Tiffany, for the appellant, Fackner.

Jesse Johnson, for the appellant, Hurley.

John M. Ward, for the appellants, Foulks and others.

Jacob Brenner, for the appellant, Wells.

Edward H. Hobbs, for the appellant, Everitt.

James W. Glendinning, for the appellant, Cox.

Edward M. Shepard, for the respondents.

Goodrich, P. J.: The plaintiffs, taxpayers of the city of Brooklyn, bring this action against the mayor, comptroller, city auditor, city clerk, city treasurer and eleven persons in the municipal service of the city of Brooklyn to restrain the payment of salaries to such persons, on the ground that they were appointed to office since January 1, 1895, without examination, competitive or otherwise, although such examinations were practicable, and that such appointment was within the inhibition of section 9, article V of the Constitution of 1894.

The section in question reads as follows: "Appointments and promotions in the Civil Service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. Laws shall be made to provide for the enforcement of this section."

The Constitution is the basic and fundamental law. To this ultimate and supreme mandate of the people, uttered by its delegates in convention assembled, it is the duty of all departments of the State government, executive, legislative and judicial, to bow in instant and willing obedience. It is our duty to interpret and apply it reasonably but firmly to the questions involved in this appeal.

In the case of *The People ex rel. Jackson v. Potter* (47 N. Y. 375, 380), it was said that a Constitution is to be held as prepared and adopted with reference to existing statutory laws upon the provisions of which, in detail, it must depend to be set in practical operation. This opinion is also emphasized by section 16, article I of the Constitution: "Such acts of the Legislature of this State as are now in force shall be and continue the law of this State, subject to such alteration as the Legislature shall

make concerning the same. But * * * such of the said acts or parts thereof as are repugnant to this Constitution are hereby abrogated."

The principle of Civil Service examinations was new to the Constitution, though not new to the statutory laws of the State. In 1883 the Legislature passed the act commonly called the Civil Service Act (Laws of 1883, chap. 354, amended in 1884 [chaps. 357 and 410]), and these acts established the Civil Service Commission, and provided for appointments to the public service after examination of applicants, and for the means of such examination.

It was made the duty of the Civil Service Commissioners to aid the Governor in preparing suitable rules for carrying the act into effect, which rules should provide "as nearly as the conditions of good administration will warrant," among other things, first, for open competitive examinations for testing the fitness of applicants for the public service, such examinations to be practical in their character; second, that all offices should be filled by selections from among those graded highest at such examinations; third, for a period of probation before absolute appointment; and, fourth, for non-competitive examination, when competition might not be found practical.

Section 6 made it the duty of the Governor to cause to be arranged in classes the several clerks and persons employed in the public service, for examination, and to include in such classes, "so far as practicable," all subordinate places in the public service of the State.

Section 7 provided that no person should be admitted to, or promoted in, either of the classes till he had passed an examination or was shown to be exempt from such examination.

The appointing power was required to report all appointments to the Civil Service Commission, which was required to certify such appointments to the Comptroller; and the latter was forbidden to pay the compensation of any officer in either of said classes until so certified.

Section 8 directed mayors of cities to prescribe such regulations for the admission of persons into the Civil Service of

such city as should "best promote the efficiency thereof," and to employ suitable persons to make such examinations, and to prescribe their duties and establish regulations for the conduct of persons who should be appointed in the service; to cause to be arranged in classes the persons employed, and to include in one or more of such classes, "so far as practicable," all subordinate clerks and officers in the public service of the city. No person was to be admitted to either class until he had passed the examination, or was shown to be exempted therefrom.

Thus it will be seen that at the time of the adoption of the Constitution there was in force a regular system of Civil Service machinery adequate to the examination and appointment of persons to the public service in the State and in the cities, and the Legislature has not deemed it necessary to provide further laws for the enforcement of the Civil Service article of the Constitution.

In the case of *The People v. Draper* (15 N. Y. 543), Denio, Ch. J., said: "The people in framing the Constitution committed to the Legislature the whole law-making power of the State, which they did not expressly or impliedly withhold. Plenary power in the Legislature for all purposes of civil government is the rule. A prohibition to exercise a particular power is an exception." (See, also, *Rathbone v. Wirth*, 150 N. Y. 470.)

It must be assumed that the Constitutional Convention had this law and these facts in mind in adopting the civil service article, and such has been the decision of the courts upon this subject. In the oft-approved opinion of Mr. Justice Herrick in *The People ex rel. McClelland v. Roberts* (91 Hun, 117), it was stated: "The members of the Constitutional Convention being assumed to have known the nature and effect of the then existing laws, and having provided for their continuance, where in harmony with the new Constitution, we must also assume that they depended upon them, supplemented by such new legislation as should be necessary to carry into effect the details of the Constitution." This gives force to the clause of section 9, "Laws shall be made to provide for the enforcement of this section."

Judge Herrick also said: "It seems to me, therefore, that in reading section 3 of article 5, in connection with section 9 of that article, and considering the language used, the history and condition of the law as it was under the old Constitution, taken in connection with the proceedings in the Constitutional Convention, it was the plain intent of the framers of the Constitution, and of the people who adopted it, that all appointments in the civil service of the State should be made according to merit, to be ascertained, as far as practicable, by examination." (p. 115.) He further says: "The civil service laws of the State are in harmony with the present Constitution. They are, therefore, of the same force and effect as if they had been passed after the present Constitution took effect, and can be used, as far as they go, to enforce its provisions." (p. 117.) "Where the language used in the Constitution and in a previously existing statute is so nearly the same, in meaning, it seems to me that we can well say that the framers of the Constitution had such statute in view, and relied upon it to enforce the provisions of that portion of the Constitution under consideration." (p. 119.)

In the Matter of Sweeley (12 Misc. Rep. 181), Judge Herrick had previously come to the same conclusion, that the civil service acts of the Legislature were in harmony with the Constitution, except as to the parts relative to veterans.

The opinion of Justice Herrick in *The People ex rel. McClelland v. Roberts* (13 Misc. Rep. 448), was approved and adopted by the appellate division as its own (91 Hun, 101), and the judgment was affirmed in the Court of Appeals (148 N. Y. 360), Judge O'Brien writing the prevailing opinion. He said: "It is evident from the language of the new provision of the Constitution and from the debates in the convention which followed its introduction into that body, that it was framed and adopted with reference to existing laws, which were intended to give it immediate practical operation. * * * The mandate to the Legislature to enact laws to provide for the enforcement of the section does not in any degree conflict with this view. That was a prudent and proper though perhaps unnecessary, precaution. But it affords no ground for

the inference that the people intended to ignore the aid and utility of existing laws to give immediate practical effect to the principle, or that they were content to wait for the reform until the Legislature should make new regulations on the subject. It was the intention to put all the new provisions of the Constitution into operation through the instrumentality of such laws as were then in force, so far as practicable, and if, in practice, they were found to be in any respect insufficient for that purpose, they were to be replaced or supplemented by new ones. This view does not depend entirely upon construction, since the instrument itself contains an express provision on that subject. The people declared in section sixteen of article one that, "Such acts of the Legislature of this State as are now in force, shall be and continue the law of this State, subject to such alterations as the Legislature shall make concerning the same, but all such parts of the common law, and such of the said acts, or parts thereof, as are repugnant to this Constitution, are hereby abrogated." (p. 369.)

It seems quite clear to me, therefore, that we may well say that the framers of the Constitution had such statute in view, and saw in it methods sufficient to enforce the provisions of that portion of the Constitution under consideration.

The Constitution provides for four classes of appointments to the civil service. First. Appointments to be made on merit and fitness, to be ascertained, so far as practicable, by competitive examination. Second. Appointments to be made on merit and fitness, to be ascertained by non-competitive examination. Third. Appointments to be made on merit and fitness without any examination. Fourth. Appointments of "veterans" preferentially after examination.

In *people ex rel. McClelland v. Roberts* (*supra*) Judge O'Brien says: "The principle that all appointments in the civil service must be made according to merit and fitness, to be ascertained by competitive examinations, is expressed in such broad and imperative language that in some respects it must be regarded as beyond the control of the Legislature and secure from any mere statutory changes. If the Legislature should repeal all the

statutes and regulations on the subject of appointments in the civil service the mandate of the Constitution would still remain, and would so far execute itself as to require the courts, in a proper case, to pronounce appointments made without compliance with its requirements illegal." (p. 366.)

In matter of Keymer (148 N. Y. 226) Judge Bartlett, writing the opinion of the court, says: "The Constitution contemplates that it may not always be practicable to ascertain merit and fitness by examinations, or to have these examinations competitive." He also says: "It is quite possible there are or will be offices and positions, by reason of peculiar duties, which experience will demonstrate cannot be filled by competition, and when such a case arises it will be competent for the Legislature to provide for it by an appropriate act disclosing the circumstances which justify its intervention."

I have been unable to find any adjudication upon the powers of the mayor under section 8 of the statute of 1883, but in Justice Herrick's opinion he says: "The Governor has acted under the power conferred upon him by the statute, and has determined that it is practicable to test the merit and fitness of candidates for positions in the department of public works by examination." (p. 119.) This is measurably a judicial approval of the exercise by the Governor of the power of classification conferred upon him. If conferring such power upon the Governor was not contrary to the Constitution, I see no reason why a similar power has not been lawfully conferred by the act upon the mayors of cities.

With this exposition of the law as it has been announced, I proceed to consider the decision of Mr. Justice Keogh at Special Term. There was abundant evidence to show, and there was no contrary evidence.

"First. That the oral testimony and documentary evidence in this case prove very clearly that it is practicable to ascertain by competitive examination the merit and fitness of a person to be appointed to each of the positions filled by the several defendants.

"Second. That the action of the mayor of Brooklyn in placing such positions is the non-competitive class and requiring them to be filled therefrom without competitive examination is illegal, and as such is subject to review by this court."

It appears by the evidence that all of the eleven appointments were made since January 1, 1895. They are J. Nelson Magee, clerk to committees in the board of aldermen; Thomas Foulks, warrant clerk, or assistant warrant clerk, in the department of finance; William J. Cox, dockmaster, in the department of finance; Erastus Everitt, Jr., chief clerk in the department of audit; Edward M. Perry, law clerk, in the department of law; John Hurley, surveyor, in the department of assessment; Frederick P. Auwell, finance clerk, in the department of health; Reville Wells, license fee collector, in the department of fire; Edward Fackner, secretary, in the department of buildings; James Newland, stamp clerk, in the water bureau, department of city works; Alfred T. Hobley, license clerk, or deputy license clerk, in the city clerk's office.

The answer admits that the eleven appointments were not made through the Civil Service Commission, and none of the persons were appointed as a result of competitive examination; that Mayor Low determined that it was not practicable to fill the positions occupied by Magee, Foulks, Cox, Everitt and Auwell by competitive examination, and, therefore, assigned the same to Schedule A, the persons named in which could be appointed without examination; that Mayor Schieren took similar action in respect to the positions occupied by Hurley, Fackner and Hobley, and that Mayor Wurster also took similar action in regard to the position occupied by Wells.

Notwithstanding that the several mayors assigned the positions in question to Schedule A, the non-competitive class, the evidence shows that it was practicable to fill these places by competitive examination, and that similar positions in the federal government and in the city of New York, as well as in the city of Brooklyn, have been filled after competitive examinations. This appears by the evidence of Theodore Roosevelt, president of

the New York police department; Emmons Clark, secretary of the New York board of health; Everett P. Wheeler, chairman of the Civil Service Commission of the city of New York; Silas W. Burt, member of the State Civil Service Commission, formerly chief naval officer of the port of New York, and Alfred T. White, formerly commissioner of city works in Brooklyn, and no evidence was even offered to contradict it or make it doubtful.

It appears by the evidence of these witnesses that appointments to office, similar to those in question, which were made upon competitive examination, were sufficiently and satisfactorily filled, and that competitive examination of candidates for such offices has resulted beneficially to the public welfare.

For many years before appointments to the civil service after competitive examination was dreamed of, the policy of the law compelled the examination of applicants for admission to the bar. By his admission, the lawyer became an officer of the court. No reason can be adduced why it is not equally practicable to examine an applicant for the official position of a law clerk in the department of law, by appointment to which a person becomes a *quasi* advising law officer of the public, and on salary. As long experience has shown the practicability of examination in one case, it would seem equally practicable in the other.

In construing the act of 1883, it should be interpreted as if the civil service section of the Constitution were added as a proviso, viz., that whenever it is practicable to ascertain merit and fitness for appointment or promotion by examination, competitive or otherwise, there is no power to appoint to such positions without examination.

The second section of the act of 1883 uses the word "practicable" in connection with non-competitive examinations "when competition may not be found practicable;" the sixth section uses the words "so far as practicable" in specifying the duty of the Governor to arrange in classes all subordinate places in the public service of the State; the seventh section, as amended (Laws of 1894, chap. 681), uses them in connection with the duty

of the Commission to keep a complete record, and the eighth section, as amended (Laws of 1884, chap. 410), uses the same words, "so far as practicable," in connection with the duty of the mayor to arrange classes. It may be presumed that the convention found in this act the value and force of the words "so far as practicable," twice used by it in the civil service section, and this is an additional reason for believing that there was no intention on the part of the convention to declare that the act of 1883 was repugnant to the civil service section of the Constitution and thereby to abrogate it.

There can be no doubt that, although the act of 1883 intrusted to the Governor and the mayors the duties of classification so as to secure appointments to the civil service without examination, their action is subject to review by the courts. Nor can it be doubted that, under the new Constitution, the courts have similar power to review the action of the Governor and of the mayors, and also any act of the Legislature in respect of appointments without examination. If the power of classification thus exercised constitutes a violation of the plain provisions of the Constitution, and is hostile to the "newly embedded" civil service provisions of the Constitution, it can be reviewed by the courts. But it is not necessary, nor is it intended, to pass upon that question. It is sufficient for the purposes of this appeal to say, that the decision of the learned justice at Special Term, that "it is practicable to ascertain by competitive examination the merit and fitness of a person to be appointed to each of the positions filled by the several defendants," is justified and sustained by all the evidence in the case, and the decision of that question of fact will not be disturbed on this appeal.

Nor can I see that any of the positions in question involve such relations of personal confidence, by reason of peculiar duties or any personal liability on the part of superior officers, as justify the filling of the offices without competitive examination, a subject referred to in the opinion on Judge Bartlett in the Keymer case (*supra*).

The affirmative character of the civil service section of the Constitution, requiring appointments to the civil service to be made after competitive examinations, so far as it is practicable that such appointments can be made with such examination, controls us in the decision of this appeal, and as the court below decided that such examinations were practicable, it follows that the appointments in question were against the plain provisions of the Constitution. I cannot, therefore, escape the conclusion that these appointments were illegal.

The answer alleged that Perry was not occupying the office of assistant corporation council in the department of law, but was a law clerk in that department. A similar allegation was made in the case of Newland, that he was not occupying the position of clerk to the commissioner in the department of city works, but was stamp clerk in the water bureau of that department. On the trial, testimony was offered to show that Perry and Newland were not holding the offices set out in the complaint, but were holding other offices, as above stated, and objection was made to the evidence as not being within the allegations of the complaint, but the objection was overruled. No amendment was made to the complaint, but the judgment includes these defendants, and describes them as holding the latter offices. As this is an equitable action, we do not see any error in the judgment in this respect.

One exception requires consideration, as it involves a principle upon which the learned counsel for the defendants based an earnest argument that some of the defendant officials occupied positions involving confidential relations with superiors, and that such positions fell within a distinction of the Constitution which, counsel argued, was indicated by the use of the words "so far as practicable," and that it was evident that, when the framers of the Constitution used these words, they used them not without reason. But, even assuming that confidential positions were within the thought of the members of the convention, it does not follow that every position having such relation is to be filled without examination, competitive or otherwise. The

theory of the civil service is that all appointments shall be made after examination, competitive or otherwise, whenever it is practicable, and we have concluded that examination was practicable in all the cases stated in the judgment.

There are many exceptions to the admission of evidence, but as they do not influence the general result of the trial, they are not sustained.

The judgment should be affirmed, without costs.

All concurred.

PER CURIAM: In addition to the discussion of this case, by the presiding justice, with whose opinion the other members of the court agree generally, we think it wise to state the particular propositions on which we base our decision.

First.—We think that the provisions of section 9, article 5 of the Constitution relative to the civil service, are self-executing. It must be remembered that this is not a provision intended to impose on the various officers of the State the duty of making appointments and promotions in the civil service. As far as such duty is concerned, no branch of the government of this State can be justly termed derelict for failing to make a sufficient number of appointments in the public service. The section is simply a limitation upon the method in which such appointments or promotions shall be made. “Any constitutional provision is self-executing to this extent, that everything done in violation of it is void.” (Cooley’s Const. Lim. [5th ed.] 100, note; *Brien v. Williamson*, 8 Miss. 14.) This principle was, in our opinion, necessarily decided in the case of *The People ex rel. McClelland v. Roberts* (148 N. Y. 360), where Judge O’Brien said: “If the Legislature should repeal all the statutes and regulations on the subject of appointments in the civil service, the mandate of the Constitution would still remain, and would so far execute itself as to require the courts, in a proper case, to pronounce appointments made without compliance with its requirements illegal.” If the decision of the Court of Appeals, in that case did not proceed on this theory it would be difficult, indeed, to answer the arguments of the dissenting opinion of Judge Martin. The

power to legislate rests in the Legislature, and this power necessarily carries with it the right not only to enact laws, but to change, modify and repeal the same. The Civil Service statutes furnish no exception to this rule. There exists no power in the courts, or elsewhere, to compel the Legislature to enact laws to provide for the enforcement of this section of the Constitution. Neither is there any power residing in the courts, or any restriction in the Constitution, to prevent the repeal by the Legislature of all statutes relating to the civil service of the State. This power belongs to that class of powers which is required to exist as essential to the well-being of government, and which must be vested in some body not subject to any other authority, which may restrain or enforce its exercise within prescribed limits. The body vested with such power in this State is the Legislature, and for its exercise the people must depend upon the patriotism, good sense and sound judgment of that body. But this section of the Constitution is not made dependent upon the action or nonaction of the legislative body, for as we have seen and as the Court of Appeals has held, these provisions of the Constitution execute themselves. To enforce the civil service section of the Constitution, legislative aid is useful, but not indispensable.

Second. As asserted in the Roberts case, and also in other cases which have arisen on appointments in the civil service, the Constitution was enacted in contemplation of the then existing Civil Service Statutes, but it does not follow that those statutes, in all their provisions, are conclusive as to the methods in which appointments or promotions in the civil service are to be made. So far as under those statutes the classification of appointments to office was discretionary, the provisions of the Constitution have superseded the statutes, and require that all appointments shall be made by competitive examination so far as practicable. Nor, in our judgment, did the fact that by those statutes the assignment of appointees to various classes was imposed on the Governor and the mayors of cities, constitute those officers the final arbiters of the question whether, in any particular case, an examination or a competitive examination was practicable or not. The

Legislature could doubtless change the statute in this respect, and impose the duty of classification upon other officers. Though the duty is undoubtedly an administrative one, if the action of the administrative officer comes in conflict with the provisions of the Constitution, the courts, when the question is brought before them, must hold such action void, as in the case of any other unlawful act. We claim no power to review the administrative action of officers under the Civil Service Laws, except so far as to determine whether such action is in conflict with the Constitution. In *The Matter of Keymer* (89 Hun, 292; 148 N. Y. 219), an act of the Legislature declared that, as to veterans, competitive examinations for positions where the compensation did not exceed four dollars a day should not be deemed practicable. It was held that this statute was unconstitutional and void; that the arbitrary declaration of the Legislature that examination was not practicable did not establish the fact. If it be not within the power of the Legislature to determine on insufficient grounds that examinations are impracticable, we cannot see that greater weight or force can be given to the action of administrative officers. This question is analogous to the one presented in *Miller v. City of Amsterdam* (149 N. Y. 288), and *Sharp v. Spier* (4 Hill, 76).

Third. When the particular character and functions of an office or position are ascertained, the question whether competitive examination for appointment to that place is practicable or not is a question determinable by the court, as matter of law, by the exercise of its judgment, and in the light not only of the proof but of common knowledge as applied to the subject-matter. The case is, in principle, like that of the reasonableness of rules or by-laws of corporations which, contrary to the former doctrine, is now uniformly held to be a question of law for the court, not of fact for the jury. (*Vedder v. Fellows*, 20 N. Y. 126; *Avery v. New York Central & H. R. R. Co.*, 121 id. 31; *Barker v. Central Park, etc., R. R. Co.*, 151 id. 237.) In this view there can arise no contrariety of determinations in different suits as suggested by the appellants.

Fourth. The question whether examination is practicable, being one determined by the exercise of judgment, and, necessarily, judg-

ment being exercised in the first instance by administrative officers, we think the presumption should obtain that public officers, have done their duty, and that the burden is thrown upon whoever assails it to prove affirmatively that the action of the public officers has been illegal. Therefore, if the case presented is fairly debatable, and one as to which, in the honest exercise of judgment, men may reasonably differ, we think the court should not reverse the determination of the public officers. But the difference of judgment must be, not as to the advantage or disadvantage of the civil service scheme generally, because the Constitution has settled that question, not only as to whether the particular appointment can properly be considered as subject to a competitive examination, and it must always be borne in mind that under the Constitution competitive examination is the rule, and "pass" examination and exemption from examination the exceptions.

Fifth. We are of opinion that the cases of none of these appointees fall within the debatable class, but were plainly susceptible of being filled by competitive examination. As to one of them it is proper we should make some qualification; that is, the position of warrant clerk to the comptroller. The duty of this officer is to present warrants to the comptroller for signature. It is possible that even a careful officer might be betrayed, by the fault of his clerk, into signing an improper warrant or a warrant for an improper amount. If there were a clerk whose principal duty it was to compare the warrants with the vouchers and guard the comptroller against falling, either by accident or the fraud of his subordinates, into error, we are not prepared to say that the comptroller might not properly have the discretion as to whom he should appoint; but it appears in this case that the comptroller has appointed a large number of warrant clerks. He cannot, by dividing a duty that is confidential, and possibly exempted from examination, among many clerks, obtain exemption for all and thus evade compliance with the Constitution and the Civil Service Statutes.

Judgment affirmed, without costs.

SIMEON B. CHITTENDEN ET AL., *Respondents*, v. FREDERICK W. WURSTER, AS MAYOR OF THE CITY OF BROOKLYN ET AL., *Appellants*.

1. **CIVIL SERVICE CLAUSE OF THE CONSTITUTION.**—The provision of the Constitution (Art. 5 § 9) that "appointments and promotions in the civil service of the state, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness," is mandatory; but the execution of the subsequent provision: "to be ascertained, so far as practicable, by examinations, which so far as practicable, shall be competitive," is, as to the machinery necessary for the conducting of competitive examinations, dependent upon the statute.
2. **COUNTIES, TOWNS, AND VILLAGES.**—In the absence of legislation providing the machinery for conducting competitive examinations for the civil service of counties, towns and villages, the provision of the Constitution in reference to such examinations for those civil divisions of the state remains ineffectual.
3. **STATE AND CITIES.—CONSTITUTIONALITY OF CIVIL SERVICE LAW.**—The existing Civil Service Law (L. 1883, ch. 354, as amended), provides the necessary machinery for carrying into effect the provisions of the Constitution in the case of the state and cities, and, with the exception of certain provisions relating to veterans, appears to be in harmony with the Constitution.
4. **PRACTICABILITY OF COMPETITIVE EXAMINATIONS.**—The provisions of the Constitution and of the statute, requiring competitive examinations so far as practicable, contemplated the existence of positions for which a competitive examination is not practicable.
5. **DETERMINATION OF PRACTICABILITY OF EXAMINATION.**—In order to determine whether the examination of a candidate for an office is practicable, the court must first ascertain the nature and character of the duties of the position; and when that has been done, the question of exemption becomes one of law.
6. **EXEMPTION OF CONFIDENTIAL POSITIONS.**—Within the meaning and intention of the Constitution and of the statute, competitive examination is not practicable for positions of a confidential relation to the appointing officer.
7. **DEFINITION OF CONFIDENTIAL POSITION.**—Where the duties of the position are not merely clerical, and are such as especially devolve upon the head of the office, which by reason of his numerous duties, he is compelled to delegate to others, and the performance of which requires skill, judgment, trust and confidence, and involves the responsibility of the officer or the municipality which he represents, the position should be treated as confidential.
8. **CONFIDENTIAL POSITION NOT NECESSARILY SECRET.**—Positions included in the confidential class are not limited to those which are strictly secret.
9. **STATUTORY EXEMPTIONS FROM EXAMINATIONS.**—The provisions of the statute, exempting from examination officers elected by the people and the subordinates of any such officer for whom he is financially responsible, the heads of city departments, applicants for employment under the educational department of a city, and any subordinate officers having custody of public moneys or securities for the safekeeping of which the head of an office is under bonds, furnish a satisfactory rule as to the positions for which, in addition to confidential positions, competitive examination is not practicable.
10. **CITIES.—EFFECT OF EXEMPT CLASSIFICATION BY MAYOR.**—A classification of positions exempt from civil service examination (Schedule A), made by the mayor of a city, presumably in the conscientious discharge of his duty under the statute, although it may be voidable is not void; and until judicially determined to be erroneous it is a protection to the subordinate heads of departments and employees acting thereunder, and, until the proper classification has been made, appointments made thereunder must be deemed valid.
11. **REMEDY FOR IMPROPER CLASSIFICATION BY MAYOR.**—If the mayor of a city refuses to do his duty in making classifications of civil service positions, or if he does it improperly, he may be compelled by direct proceeding, as by mandamus, or perhaps in some cases of certiorari, instituted by any resident citizen, to do it in accordance with the requirements of the Constitution and of the statute; but a taxpayer's action to restrain the payment of salaries earned by appointees is not the appropriate remedy.

Chittenden v. Wurster, 14 App. Div. 483, reversed.

(Argued March 23, 1897; decided April 20, 1897.)

Appeal from a judgment of the Appellate Division of the Supreme Court in the second judicial department, entered February 26, 1897, which affirmed a judgment in favor of plaintiffs entered upon a decision of the court on trial at Special Term.

The nature of the action and the facts, so far as material, are stated in the opinions.

Joseph A. Burr for appellants. The revised Constitution, which went into effect on the 1st day of January, 1895, has not repealed, modified or altered the provisions of the statute relative to Civil Service appointments in the State of New York (save only those portions of the statute which are in the nature of exceptions to the general provisions thereof, such as those respecting veterans). (L. 1883, ch. 354; L. 1884, ch. 410; *Koch v. Mayor*, etc., 152 N. Y. 72; *Rathbone v. Wirth*, 150 N. Y. 470; *Cooley's Const. Lim.* [6th ed.] 69, 75; *In re Sweeley*, 12 Misc. Rep. 174; 146 N. Y. 401; *In re Keymer*, 89 Hun, 292; 148 N. Y. 219; *People ex rel. v. Roberts*, 13 Misc. Rep. 448; 91 Hun, 102; 148 N. Y. 360; *People ex rel. v. Civil Service Board*, 5 App. Div. 164; *People ex rel. v. Tobey*, 8 App. Div. 468.) In making the necessary classification of positions, the determination to which class a position shall be assigned and which method of appointment shall be adopted is both by the Constitution and the statute expressly made an administrative and not a judicial question. (L. 1883, ch. 354, § 6; *Atty.-Gen. v. Northampton*, 143 Mass. 589.) The duty devolved upon the Governor to classify the positions in the State service, and the discretion conferred upon him to determine as to the manner in which appointments to such positions shall be made, and the like duty devolved and discretion conferred upon the mayors of cities as to the municipal service, is not only not revoked by the Constitution, but is necessarily continued until some other method is prescribed by law. (*Wiggin v. Mayor*, etc., 9 Paige, 16; *United States v. New Orleans*, 31 Fed. Rep. 537; *State v. Bonner*, *Busbee Law* [N. C.], 257.) The power of determination conferred upon the Governor to classify

positions in the State Civil Service, and upon the mayors of cities to classify positions in the city service, if exercised honestly and in good faith, may not be reviewed at all by any court. (Cooley's Const. Lim. 52, 54; *People ex rel. v. Rice*, 135 N. Y. 473; *In re Baird v. Supervisors*, 138 N. Y. 95; 142 N. Y. 523; *People ex rel. v. Commissioners*, 149 N. Y. 26.) While a determination arbitrarily and dishonestly exercised may be reviewed, it can only be reviewed in a proceeding brought directly for that purpose, either to correct an existing classification or to compel a new one. (*Mills v. City of Brooklyn*, 32 N. Y. 495.) The Civil Service provision of the Constitution, so far as the classification of positions and the method of making appointments is concerned, is not self-executing, but can only become operative through legislative provisions. (Cooley's Const. Lim. [6th ed.] 99; *U. S. v. Reese*, 92 U. S. 214; Const. N. Y. art. 8, § 14; *People ex rel. v. Fallon*, 4 App. Div. 82; *In re Keymer*, 148 N. Y. 219; Const. N. Y. art. 3, § 18.) In any event and under any circumstances an action in the form in which this action is brought will not lie. (L. 1894, ch. 681; *Talcott v. City of Buffalo*, 125 N. Y. 280; *Zeigler v. Chapin*, 126 N. Y. 342; *Adamson v. N. El. R. R. Co.*, 89 Hun, 261; *Terrell v. Strong*, 14 Misc. Rep. 258; *Rathbone v. Wirth*, 150 N. Y. 498; *Curtin v. Barton*, 139 N. Y. 505; Const. N. Y. art. 3 § 4; *Rogers v. Com. Council of Buffalo*, 123 N. Y. 173; *Peck v. Belknap*, 130 N. Y. 394.) The complaint should have been dismissed as to the defendants Newland and Perry, upon the ground that the proof did not conform to the allegations of the complaint. (*Southwick v. F. Nat. Bank*, 84 N. Y. 420; *Butler v. Farley*, 17 N. Y. S. R. 109; Code Civ. Pro. § 723; *Rome Exchange Bank v. Eames*, 4 Abb. Ct. App. Dec. 83; *Day v. Town of New Lots*, 107 N. Y. 148; *Kley v. Healy*, 9 Misc. Rep. 93.) If the court had the power in this form of action to determine whether error was made by the several mayors in determining that it was not practicable to fill the positions under consideration after competitive examination, the evidence wholly fails to show that either of said officials erred in their judgment in assigning them to the schedule to which appointment might be made without examination. (L. 1888, ch. 583; *People ex rel. v. Palmer*, 152 N. Y. 217.)

Henry Yonge, J. Warren Greene and Edward M. Shepard for respondents. The payment of salaries to officers appointed in violation of the Civil Service Laws may be restrained by taxpayers' suits. (*Dolan v. Mayor, etc.*, 68 N. Y. 274; *Rogers v. Com. Council of Buffalo*, 123 N. Y. 173; *Peck v. Belknap*, 130 N. Y. 394; L. 1894, ch. 681; *Demarest v. Mayor, etc.* 74 N. Y. 161; 1 *Dillon on Mun. Corp.* 93; *Code Civ. Pro.* § 1925; *Adamson v. N. El. R. R. Co.*, 89 Hun, 261; *Talcott v. City of Buffalo*, 125 N. Y. 280; *Ziegler v. Chapin*, 126 N. Y. 342.) If the Constitution meant what it said, that appointments must, where practicable, be made by competition, then these appointments were unconstitutional. (*Rogers v. Com. Council of Buffalo*, 123 N. Y. 177; *People ex rel. v. Roberts*, 148 N. Y. 366; *Sturgis v. Spofford*, 45 N. Y. 446; *Rathbone v. Wirth*, 150 N. Y. 468; *People ex rel. v. Draper*, 15 N. Y. 544; *In re Keymer*, 148 N. Y. 219; *People ex rel. v. Wilson*, 146 N. Y. 401.) The constitutional amendment operated as a limitation upon the power of appointment in whosoever hands the power of appointment should be reposed. It was a limitation upon the legislative power itself, and *a fortiori*, upon the power of a mayor, who is himself a mere creature of legislative power, whose office can be abolished at legislative will. (*Demarest v. Mayor, etc.*, 74 N. Y. 161; 1 *Dillon on Mun. Corp.* 93; *People ex rel. v. Fallon*, 4 App. Div. 87; *Green v. Biddle*, 8 Wheat. 1; *Curran v. Arkansas*, 15 How. [U. S.] 304; *State v. Bank*, 1 S. C. [N. S.] 63; *Bowdoinham v. Richmond*, 6 Me. 112; *Barings v. Dabney*, 19 Wall. 1; *Davis v. Gray*, 16 Wall. 203.) The constitutional amendment made no exception in case of confidential positions. There was no such limitation in the act of 1883; if there had been, it would have been abolished by the Constitution. (*People ex rel. v. Palmer*, 152 N. Y. 217.) The existence of a duty on the part of a public officer to ascertain a fact required by law before performing an official duty does not imply the power to determine the fact. (*Miller v. Amsterdam*, 149 N. Y. 288; *Sharp v. Speir*, 4 Hill, 76.) No evidence was admitted that did not fairly bear on the question of practicability. There is no proof of practicability superior to the proof of what

has been and is done either in Brooklyn or in other civilized communities. The testimony was all strictly competent and strictly relevant and material. But, if it were not, then the appellants can ask no more than that the inadmissible testimony be eliminated. If the remaining testimony support the finding below, the finding will stand in spite of exceptions to incompetent, irrelevant or immaterial testimony. (*King v. Whaley*, 59 Barb. 71; *Apthorp v. Comstock*, 2 Paige, 482; *In re N. Y. C. & H. R. R. Co.*, 90 N. Y. 342; *Kelsey v. Cooley*, 11 N. Y. Supp. 745; *Forrest v. Forrest*, 25 N. Y. 501; *McSorley v. Hughes*, 58 Hun, 360; *Clapp v. Fullerton*, 34 N. Y. 190.)

Haight, J. This action was brought by taxpayers of the city of Brooklyn against the fiscal officers of the city and eleven individuals who were appointees in the various departments of the city government to enjoin and restrain the fiscal officers of the city from paying to any of the appointees the salary earned by them respectively.

The eleven employes were appointed to the positions held by them since the first day of January, 1895, without competitive examination; and the claim is that such examination in each case was practicable, and that every appointment without such examination was in violation of the provisions of the Constitution which went into force on that day.

Civil service first had its introduction in this State in the year 1883 by the passage by the Legislature of chapter 354. That act has been several times amended; it related to appointments to be made in the civil service in the State and cities; and at the time of the adoption of the new Constitution, in substance provided that the Governor, with the advice and consent of the Senate, should appoint three persons as Civil Service Commissioners of the State; that they should aid him in preparing suitable rules for carrying the provisions of the act into effect; and when the rules should be promulgated, it should be the duty of all officers of the State, in the departments and offices to which such rules relate, to aid in all proper ways in carrying the rules into effect. The rules were required to provide and

declare, as nearly as the conditions of good administration will warrant: "1. For open competitive examinations for testing the fitness of applicants for the public service now classified or to be classified hereunder. Such examinations shall be practical in their character, and, so far as may be, shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of that service into which they seek to be appointed. 2. All the offices, places and employments so arranged or to be arranged in classes, shall be filled by selections from among those graded highest as the results of such competitive examinations. * * * 7. There shall be non-competitive examinations when competition may not be found practicable."

It was made the duty of the Governor, within four months, to cause to be arranged in classes the several clerks and persons employed or being in the public service, for the purposes of an examination, and he was required to include in one or more of such classes, so far as practicable, all subordinate places, clerks and officers in the public service of the State. Thereafter no officer or clerk was permitted to be appointed, admitted or promoted in either of the classes arranged by the Governor until he had passed an examination or had shown himself to be exempted from such examination. It was made unlawful for the Comptroller to draw his warrant for the payment of any salary or compensation to any officer, clerk or other person in the public service of the State in either of the classes arranged by the Governor, who was not certified as having been appointed in pursuance of the law and of the rules and regulations made thereunder. In each of the cities of the State in which rules and regulations had been adopted under the provisions of the act, every officer thereof whose duty it was to sign or countersign warrants, was prohibited from signing or issuing any warrant on the treasurer, or other disbursing officer of such city, for the payment of the salary of any person in its service whose appointment had not been made in pursuance of the provisions of the act and of the rules in force thereunder, and any sums paid contrary

to the provisions of the act, it was provided, might be recovered from any officer signing or countersigning warrants for the payment of such salaries, and from the sureties on his official bond, in an action in the Supreme Court maintained by any resident citizen taxpayer. (Section 7, as amended by L. 1894, ch. 681.)

It was further provided that (§ 8): "The mayor of each city in this State is authorized, and is hereby directed, to prescribe such regulations for the admission of persons into the civil service of such city as may best promote the efficiency thereof and ascertain the fitness of candidates in respect to character, knowledge and ability for the branch of the service into which they seek to enter, and for this purpose he shall, from time to time, employ suitable persons to conduct such inquiries and make examinations, and shall prescribe their duties and establish regulations for the conduct of persons who may receive appointments in the said service. And the regulations so to be prescribed shall, among other things, provide and declare as in the second subdivision of the second section of this act is provided and declared in reference to regulations for admission to the civil service of the State. Within two months after the passage of this act it shall be the duty of each of said mayors, in and by such regulations, to cause to be arranged in classes the several clerks and persons employed or being in the public service of the city of which he is mayor, and he shall include in one or more of such classes, so far as practicable for the purposes of the examination herein provided for, all subordinate clerks and officers in the public service of the said city to whom his power under this act extends. After the termination of three months from the passage of this act no officer or clerk shall be appointed, and no person shall be admitted to or be promoted in either of the said classes now existing or that may be arranged hereunder pursuant to said rules, until he has passed an examination, or is shown to be exempted from such examination, in conformity with such regulations. Such regulations hereafter prescribed and established, and any subsequent modification thereof, shall take effect upon the approval of the New York Civil Service

Commission. * * * It shall be the duty of all those in the official service of any such city to conform to and comply with any regulations made pursuant to this act, and to aid and facilitate in all reasonable and proper ways the enforcement of all regulations and the holding of all examinations which may be required under the authority conferred by this section. * * * And all examinations herein authorized shall be public, and all regulations shall be published." (As amended by L. 1894, ch. 410.)

Under the provisions of this statute it was made the duty of the mayor of the city of Brooklyn to arrange in classes all clerks and persons employed in the public service of the city, and to include in one or more of such classes, so far as practicable for the purposes of a competitive examination, all the subordinate clerks and officers in the public service of the city.

In compliance with these provisions, the Honorable Seth Low, then mayor of the city, did prescribe rules and regulations for the admission of persons into the public service of the city, and did arrange a class known as "Schedule A," in which were enumerated the positions in which he did not deem a competitive examination practicable; and another class known as "Schedule B," containing positions in which he required a competitive examination as a condition precedent to an appointment. Among others he classified as positions in "Schedule A" that of clerk to the committees of the board of aldermen, warrant clerk in the department of finance, dockmaster in the department of finance, chief clerk in the department of audit and law clerk in the department of law. These rules and regulations went into operation under his administration and ever since have continued to be in force, except as to the following modifications made by his successors: Mayor Charles A. Schieren classified the clerk in the department of health, the surveyor in the department of assessments, the secretary in the department of buildings, and the deputy license clerk in the city clerk's office, in "Schedule A;" and Mayor F. W. Wurster, one of the defendants herein, classified the license fee collector in the department of fire in "Schedule

A." The head of each of these departments was required to and has given the usual official bond. The eleven appointees, defendants, were appointed to the positions above named, classified in "Schedule A." They were not, therefore, required to pass a competitive examination, unless the classifications made by the mayors were in conflict with the provisions of the Civil Service Statute, or violative of the provisions of the Constitution.

The Constitution, article 5, section 9, provides that "appointments and promotions in the civil service of the state, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this state, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. Laws shall be made to provide for the enforcement of this section."

The concluding clause, to the effect that laws shall be made to provide for the enforcement of this section, would seem to indicate that it was within the contemplation of the constitutional convention that some legislation would be necessary. The Civil Service Statutes were limited to the state and the cities. The Constitution extends the civil service to all the civil divisions of the State, including villages. Counties and towns are the civil divisions of the State, and are, therefore, with villages, now included in the civil service. Appointments and promotions "shall be made according to merit and fitness." This provision is doubtless mandatory. It asserts a duty which has always existed, and devolves upon every appointing officer of ascertaining the merit and fitness of the persons appointed by him to official positions. Then follows the provision: "To be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive." In order to have a satis-

factory and effectual competitive examination there must be some person to examine and decide, some place fixed, and notice given in order that the applicants may be able to appear and have a hearing. The Constitution has made no provision with reference to the appointing of examiners, or for the manner in which the examinations shall be made, or how the qualifications of the applicants shall be determined. This it has left to the Legislature. This view is in accord with the former determinations of this court.

In the *Sweeley Case* (12 Misc. Rep. 174), Judge Herrick, in discussing this provision of the Constitution, says that it does not prescribe the rules by which it may be enforced, and that it needs legislation to give it life. This case was affirmed by this court without opinion (146 N. Y. 401), and his opinion was especially commended by Judge Bartlett in the *Keymer Case* (148 N. Y. 219, 224). In the *McClelland Case* (91 Hun, 101) the same judge discussed this question more fully, and held that the execution of this provision was dependent upon the statute. That case was also affirmed by this court (148 N. Y. 360), and the opinion below was commended by O'Brien, J., who said, with reference to this clause of the Constitution, that it is subject to legislative regulation as to the mode and manner of appointment, and is brought within the operation of general laws on that subject. It is true that in another place he stated that, "If the Legislature should repeal all the statutes and regulations on the subject of appointments in the civil service the mandate of the Constitution would still remain, and would so far execute itself as to require the courts, in a proper case, to pronounce appointments made without compliance with its requirements illegal." But, in making this statement, he had reference to the mandatory provision already alluded to, as appears from the clause immediately preceding, and not to the necessary machinery for the conducting of a competitive examination. This is apparent from another expression appearing in his opinion in which he refers to the provision and states that "it was framed and adopted with reference to existing laws which were intended to give it

immediate practical operation." This view is in harmony with that now entertained by us. The provision is mandatory in the respect alluded to, but, as to the machinery necessary for the conducting of a competitive examination, its execution to that extent is dependent upon the statute. In counties, towns and villages, no examiners have been provided or provisions made for the carrying of this clause into effect. It is said that each officer having appointments to make could himself examine the applicants for position, and in that way determine who should be the appointee by a competitive examination. Undoubtedly, but it will readily be seen that this system would practically nullify the Civil Service Law and bring it into disrepute. The learned counsel for the respondents says that there was "neither statutory nor executive machinery for putting the amendment into effect in villages, so it may be well that as to villages the amendment will, until there shall be legislation, remain ineffectual." We quite agree with him in this regard. What is true with reference to villages is also true with reference to counties and towns. This question has just been considered by us in the case of *People ex rel. Inebriates' Home for Kings County v. Comptroller of Brooklyn*, to which we here refer for a further discussion of the question.

There were, however, in existence at the time of the adoption of the Constitution the statutes to which we have alluded, which do provide the necessary machinery for carrying into effect the provisions of the Constitution in the state and cities; so that, upon its adoption, in the language of O'Brien, J., in the *McClelland* case, "it had immediate practical operation."

Article 1, section 16, of the Constitution provides that "such acts of the legislature of this state as are now in force, shall be and continue the law of this state, subject to such alterations as the legislature shall make concerning the same. But all such parts of the common law, and such of the said acts or parts thereof, as are repugnant to this Constitution, are hereby abrogated."

Are the provisions of the Civil Service Act repugnant to the provisions of the Constitution? In the *Keymer Case* (*supra*) we

held that the provision of chapter 344 of the Laws of 1895, which exempted honorably discharged soldiers and sailors in the late civil war from competitive examination, where the compensation did not exceed four dollars per day, was in conflict with the provisions of the Constitution. But our attention has been called to no other clause of the statute which appears to us to be repugnant to the Constitution. O'Brien, J., in the McClelland case, says that it was "framed and adopted with reference to existing laws." In the Sweeley case (*supra*) it was said: "The Civil Service Law of the State, as it was prior to the adoption of the new Constitution, is, with the exception of the acts which have been passed relative to soldiers, in harmony with the Constitution." It is claimed that the Constitution prescribes a different rule for the ascertainment of the merit and fitness of those who are candidates for appointment from that provided in the statute. It is, as we have seen, that the merit and fitness shall be ascertained, so far as practicable, by competitive examination. The statute provides that the governor shall adopt rules which shall provide, as nearly as the conditions of good administration will warrant, for open competitive examination, for testing the fitness of applicants. And again, "He shall cause to be arranged in classes the several clerks and persons employed or being in the public service, for the purpose of examination herein provided for, and shall include in one or more of such classes, so far as practicable, the subordinate places, clerks and officers in the public service of the State." And with reference to the cities, the statute provides that the mayor shall prescribe regulations for the admission of persons into the civil service "as may best promote the efficiency thereof, and ascertain the fitness of candidates in respect to character, knowledge and ability, for the branch of the service in which they seek to enter." And again, "He shall cause to be arranged in classes the several clerks and persons employed or being in the public service of the city of which he is mayor, and he shall include in one or more of such classes, so far as practicable, for the purpose of examination herein provided for, all subordinate clerks and officers in the public service of said city," etc. It will be seen that the language used with refer-

ence to the classification in the State by the Governor, is, "The several clerks and persons employed," while that pertaining to the city is, "all subordinate clerks and officers." It is not pretended that the constitutional provision was intended to apply to the heads of departments, but that it only has reference to the subordinates. The statute requires classification for competitive examination, "so far as practicable;" the provisions of the Constitution are to the same effect. It consequently appears to us that the existing statutes, in so far as they have been considered, with the exception mentioned, are in harmony with the provisions of the Constitution.

We are thus brought to a consideration of the question as to whether the classification made by the mayors of Brooklyn is legal. As we have seen with the exceptions noted, it has existed for nearly thirteen years without question. This fact, however, may not excuse us from now considering the question, in view of the fact that changes have been made which would render the doctrine of practical construction inapplicable. In determining this question, we must have reference to the mandate of the Constitution and of the statute requiring competitive examination so far as practicable.

It was evidently contemplated that there were positions in which a competitive examination was not practicable. (Matter of Keymer, 148 N. Y. 219.) The counsel for the respondent conceded this, and in his oral argument mentioned a position in the health department, and in his brief, "a private secretary, or an officer or attendant especially assigned to an executive or judge." The reasons for exempting the private secretary of the Governor, or the personal attendant upon a judge, exist with equal force with reference to many other positions, and it would be manifestly unjust to limit the exceptions to the positions named. In order to determine whether the examination of a candidate for an office is practicable, we must first ascertain the nature and character of the duties of his position. Having ascertained the facts, the question of exemption then, doubtless, becomes one of law, as was held by the majority of the judges composing the appellate division. In the

classifications which have been heretofore made in the State and cities, there has been a reservation from competitive examinations of those occupying confidential relations to the appointing officer; this it is now claimed is unauthorized, for the reason that confidential relations are not mentioned in the Constitution. It is conceded, however, by the respondent's counsel that, as to the positions mentioned by him, they ought to be excepted. Confidential positions must be classified either one way or the other. Competitive examination is or is not practicable as to such positions. We have carefully read the evidence in this case, and not a word have we found tending to show that a competitive examination is practicable for a position where the appointee receive, open, read and answer the letters of his chief, where he is to counsel and advise him with reference to the conduct and management of his office, sign his name to checks or warrants, collect and pay out his money, have the combination of his safe and the custody and control of its contents. A candidate may be ever so competent and still lack many of the necessary elements of a trustworthy officer; he may be ever so learned and still lacking in judgment and discretion; he may be discreet and still without character; he may be honest and yet meddlesome and a person in whom you could not confide. To our minds the framers of the Constitution or of the statutes never contemplated or intended that a competitive examination was practicable for such a position.

What places should then be included in the confidential list? This question may not be easy of solution. Facts may arise with reference to positions which are now unknown, or not presented by the record before us, which we cannot foresee or now consider. We can, therefore, only speak generally upon the subject, leaving individual cases for consideration when they arise. We think the Civil Service Laws should have a reasonable interpretation and should be made as practical as possible, and that we should avoid a construction rendering them so burdensome as to array public sentiment against them. We have recently had occasion to consider this question to some extent in the Crummey case (152 N. Y. 217). That case arose under another statute, but was so closely

akin to that under consideration as to give it an important bearing. We then regarded and still consider that case upon the border line, beyond which we should not go. We then were of the opinion that where the duties of the position were not merely clerical, and were such as especially devolved upon the head of the office, which, by reason of his numerous duties, he was compelled to delegate to others, the performance of which required skill, judgment, trust and confidence and involved the responsibility of the officer or the municipality which he represents, the position should be treated as confidential. We have not changed our views upon the subject. We think that this rule, properly applied, will not prove unreasonable, and that it will not exempt from examination many positions. It doubtless would relieve one warrant clerk in an office where the duties were the same as those which devolve upon Crummev; but the work of an office would have to be great, and it would have to distinctly appear that one could not discharge the duties of the position in order to justify the exemption of more than one. We have said that we did not think this rule would prove unreasonable; should time and experience prove that we are in error in this regard, we shall not hesitate to apply further limitations, so as to carry out the spirit and intent of the law.

We are urged to limit the positions in the confidential class to those which are strictly secret. Most of the public offices are conducted openly, and every citizen has the right to know what transpires. The strictly secret positions authorized are comparatively few, and are of far less importance than those where the appointee is intrusted with the drawing and signing of warrants for the payment of millions of dollars of the public money. Such a construction would be too narrow and burdensome, and we think not justified. As to the other positions in which competitive examination is not practicable, the statute itself furnishes a satisfactory rule; it provides as follows: "Officers elected by the people and the subordinates of any such officer, for whose errors or violation of duty such officer is financially responsible, and the head or heads of any department of the city government and persons employed

in or who seek to enter the public service under the educational departments of any city, and any subordinate officer who, by virtue of his office, has personal custody of public moneys or public securities, for the safekeeping of which the head of an office is under official bonds, shall not be subject to the regulations prescribed pursuant to this section." (§ 8, as amended by L. 1884, ch. 410.) This statute bears the impress of careful study and thought. Under our system of government it has been thought wise to hold public officials to strict accountability for the management of their offices and for the faithful accounting for public moneys coming into their hands. So strict is the law in this regard that in most cases they are held responsible for losses which occur even without their fault. (*Tillinghast v. Merrill*, 151 N. Y. 135.) To insure an accounting they are required to give official bonds. If they delegate to appointees the handling of public moneys, they still remain responsible for their acts and usually protect themselves by requiring such appointees to furnish bonds. All these facts were evidently taken into consideration in framing the provision in question. It was not thought to be just to hold an official responsible for the acts of an employe who necessarily had the custody of public moneys when the official had no choice in his selection. Under the rules established by the Civil Service Commission, the appointment must be made from a list of three who are certified as standing the highest. Neither of the three persons may be personally responsible. The officer has no power to demand a bond or other security; and yet, upon his own personal responsibility he may be compelled to intrust the appointee with the handling of the entire tax receipts of a State, or of a large and populous city. The legislature was not willing to release officials from responsibility for public moneys, and it did not deem a Civil Service examination as practicable or a sufficient protection to such officers; it, therefore, and we think properly, exempted such positions from the general operation of the act.

The provision with reference to those seeking to enter the employment of the educational departments of the city relates to

teachers in schools. There are other statutes which require them to pass an examination and obtain a certificate before they can be employed. This examination was deemed equivalent to that required under the Civil Service Acts, and they consequently were exempted. The positions embraced in the above provision of the statute, together with those included in the confidential list, constitute the exempt class, commonly known in the classification as "Schedule A."

In view of the disposition to be made of this case, we are not now called upon to determine the respective claims of the eleven appointees. We have reached the conclusion that this action ought not to be maintained. The heads of the departments making the appointments had nothing to do with the classification; that duty devolved upon the mayor. Under the classification made each of the positions in controversy was placed in "Schedule A." The positions in "Schedule A" required no examination, and consequently no lists were prepared by the examiners from which such positions could be filled. It is not pretended that the mayor was corrupt, dishonest, or that he was actuated by improper motives in making the classification. The duty devolved upon him under the statute; and, until the contrary appears, we must assume that he acted conscientiously and upon his best judgment. Such a classification is not void; it may be voidable, for his action is subject to review; but, until it is judicially determined that his classification was erroneous, it is a protection to the subordinate heads of departments and employes acting thereunder. The appointments were made in accordance with the statute and the classification as it then existed. They could then be made in no other way; and, until the proper classification had been made, the appointments must be deemed valid. (*Curtin v. Barton*, 139 N. Y. 505.) The same conditions would exist with reference to the positions vacated by the removal of the incumbents, in case this judgment should be affirmed. There would be no lists from which new appointments could be made. Under the system in force, the examiners prepare a list for each office to be filled in the competitive schedule,

and the appointments have to be made from that list. The examinations have reference to the particular duties to be performed; consequently, a list prepared for bookkeepers would not answer for surveyors, nor a list for warrant clerks supply applicants out of which doctors could be appointed upon the board of health. While lists have been prepared for the places enumerated in "Schedule B," none have been made for the positions in the exempt "Schedule A;" so that, before the head of a department could fill a position made vacant by this judgment, he would have to go to the mayor, get him to revise the classification, and put the position in "Schedule B." He would then have to wait until the examiners could publish the proper notice, make the examinations and prepare a list out of which the appointment could be made. Should the mayor refuse to revise his classification, then the head of the department would be powerless to fill the position, except in the manner in which the defendant's appointments were made. It is said that the mayor would make the change in the schedule upon the application of the heads of the departments. Very likely; but whether he would or not, we are not advised. We are considering the legal proposition founded upon the record before us. It does not disclose any willingness on his part to change the classification. The change has not been made, and in determining the legal proposition, we must treat the case accordingly.

The people are not, however, without a remedy. There is one which is very simple and effective. If the mayor refuses to do his duty, or if he does it improperly, he may be compelled by direct proceedings, as by mandamus, or perhaps in some cases by certiorari, instituted by any resident citizen, to do it in accordance with the requirements of the Constitution and of the statute. The courts have the power to compel the discharge of such duties. By making the classification conform to the statutes, heads of departments and officers acting thereunder, making appointments, will not subject their appointees, dependent upon compensation for their services, to the loss of wages earned or salaries accrued. In this situation it is obvious that the tax-

teachers in schools. There are other statutes which require them to pass an examination and obtain a certificate before they can be employed. This examination was deemed equivalent to that required under the Civil Service Acts, and they consequently were exempted. The positions embraced in the above provision of the statute, together with those included in the confidential list, constitute the exempt class, commonly known in the classification as "Schedule A."

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payers' action is not the appropriate remedy. (Laws 1887, chap. 673; *People, etc., v. Daley*, 37 Hun, 461, 466; *People, etc. v. Common Council of Buffalo*, 16 Abbott's N. C. 96 ; affirmed, 38 Hun, 673, on opinion below; appeal dismissed, 101 N. Y. 640; *People, etc., v. Board of Councilmen of the City of Buffalo*, 5 Misc. Rep. 26, 29; *People, etc., v. Board of Trustees of the Village of Whitestone*, 71 Hun, 188; *People, etc., v. Halsey*, 37 N. Y. 344; *People, etc., v. Collins*, 19 Wendell, 56.)

We have to say in conclusion that the duty rests upon the Legislature and the courts to enforce the Civil Service provisions of the Constitution in their letter and spirit.

We doubt not that at an early day the Legislature will supplement the existing Civil Service laws by such additional enactments as will cover all the civil divisions of the State, including villages, and furnish a complete system for carrying out the mandates of the Constitution.

We have endeavored to solve the complicated problems presented by this appeal so that the appointing officer, the fiscal agent and the appointees shall be protected until final judgment can be had as to the correctness of classification, and at the same time we have pointed out to the citizen the remedies by which he can secure the enforcement of all Civil Service provisions contained in the Constitution and the statutes.

The judgment should be reversed and the complaint dismissed.

Gray, J., (dissenting). This action was brought by certain taxpayers of the city of Brooklyn against the mayor and the other fiscal officers of the city and eleven individuals, who had been appointed to various positions in the municipal service, for the purpose of obtaining a judgment which should restrain the payment of the salaries of such appointees. These appointments were made subsequent to the 1st day of January, 1895, and the positions were as follows: Clerk to the committees of the board of aldermen; assistant warrant clerk in the department of finance; dockmaster in the department of finance; chief clerk in the department of audit; law clerk in the department of law; surveyor in the department of assessment; finance clerk in the department

of health; license fee collector in the department of fire; secretary in the department of buildings; clerk to the commissioner of city works, and deputy license clerk in the the city clerk's office. The complaint charged that these appointments had been made without the appointees having been subjected to competitive examinations to ascertain their merits and fitness and that, for the failure to comply with the law, the appointments were illegal. The answers admitted the allegation of the complaint with respect to the manner of the appointments and alleged that the defendant city officials, who were charged with the duty of the payment for services performed, intended to perform that duty as to the defendant appointees. The answer further alleged, with respect to each of the appointees, that he was duly appointed to his position.

Upon the trial of the action the plaintiffs adduced evidence, by the examination of witnesses and in the production of a large number of documents, consisting of examination papers, reports, various civil service regulations, etc., to show what competitive examinations for all the appointments mentioned in the complaint were practicable. No witnesses were called in behalf of the defendants, and the only evidence adduced by them consisted in showing, by stipulation and by certain letters addressed by Mayors Schieren and Wurster to the Civil Service Commissioners between March, 1894, and February, 1896, that the positions of the defendant appointees, in the several departments, had been assigned to Schedule "A," which is the noncompetitive schedule under the civil service regulations, before the appointments were made.

At the Special Term, the trial justice stated, among the grounds of his decision, that each of the defendant appointees to positions in the city of Brooklyn had been appointed "without an ascertainment of his merit and fitness for such position by competitive examination;" and "that it was and is practicable to ascertain the merit and fitness of a person to be appointed to each of said positions by competitive examination."

I think that the right to maintain this action turns, in the first place, upon the existence of any authority in the law for it and, in the second place, upon the effect which the insertion into the present Constitution, of the civil service section (Art. V, sec. 9), had upon existing statutes and political conditions. In view of the objection that an action in this form will not lie, its prior discussion seems the more appropriate. Authority for it must be found in the provisions of the Code of Civil Procedure and in chapter 673 of the Laws of 1887. Section 1925 of the Code provides that "an action to obtain a judgment preventing waste of, or injury to, the estate, funds, or other property of a county, town, city or incorporated village of the State, may be maintained against any officer thereof, * * * by a citizen, resident therein, * * * who is assessed for and is liable to pay, * * * a tax," etc. This section was a revision of chapter 161 of the Laws of 1872, which was the first enactment upon the subject. The act of 1887 provided for an action against "all officers, agents, commissioners and other persons acting, * * * for and on behalf of any * * * municipal corporation in this State, * * * to prevent any illegal official act on the part of any such officers, * * * or to prevent waste or injury * * * to any property, funds, or estate of such * * * municipal corporation." Upon a consideration of the broad application, which has been given to these statutory provisions by the decisions of this court, I do not think that the inquiry into the right of these plaintiffs to maintain this action can be said to be really open to us in the present case. The Taxpayers' Act was passed by the Legislature with the intent thereby to provide a sufficient and ready remedy against all acts of public servants and agents, deemed wrongful and by which taxpayers might be prejudiced. They were, in great measure, helpless before; and the act was designed to furnish them a legal remedy, by way of a civil action, to prevent injury to the municipal estate, or the commission of illegal official acts. There have been pertinent instances of actions brought under the authority of the statute; to some of which I will refer. *Rogers v. City of Buffalo* (123

N. Y. 173), was an action brought by a taxpayer of the city to restrain the common council, mayor, etc., of the city from paying the salary of the street and health inspector, on the ground that his appointment was in violation of the Civil Service Law, and a recovery was sustained. *Talcott v. City of Buffalo* (125 N. Y. 280), was an action by a taxpayer of the city to restrain the municipal authorities from substituting electric street lighting for that of gas in certain parts of the city. The question for determination there was, whether a taxpayer can maintain an action to restrain the governing body in a city from official action, within its power and discretion, in the absence of some charge of fraud, collusion, corruption or bad faith. It was observed that the terms "waste" and "injury" used in the statute, which gives a right of action to a taxpayer as against municipal officers, comprehend illegal, wrongful, or dishonest official acts and were not intended to subject official action to the supervision of judicial tribunals, where it was within the jurisdiction and discretion of the officers or municipal bodies. If the municipal authorities had not had the power to provide for the regulation and lighting of the city's streets, so as to leave the method to be adopted within their discretion, our decision would have upheld the judgment recovered below, because of the illegality of the municipal action. Improvidence, or lack of wisdom, would not warrant such an action. *Zeigler v. Chapin* (126 N. Y. 342), was an action brought by a taxpayer of the city of Brooklyn against the mayor and other officials to annul a contract made by them for the purchase of the property of a water company. It was there held that the action was maintainable, upon the ground that the contemplated purchase by the mayor and his associates was beyond their authority and illegal. It was said that "the action authorized by section 1925 of the Code is one which the taxpayer may bring against the public officer because of some fraud or bad faith on his part, or to restrain some illegal action." *Peck v. Belknap* (130 N. Y. 394), was an action brought by a taxpayer of the city of Rochester to restrain the mayor from entering into a contract of employment with the defendant Bel-

knap and to restrain the city clerk and treasurer from paying him any moneys. The ground of the action was that Belknap had not passed the civil service examination. It was held that Belknap's admission into the service of the city was plainly illegal; because, under the disqualification of the Civil Service Law, the city could not employ an individual not eligible under the law. It was held that, under section 1925 of the Code of Civil Procedure and chapter 673 of the Laws of 1887, an action is expressly authorized for the protection of taxpayers against municipal officers, to prevent any illegal official acts on their part, or to prevent waste, or injury, to the property or funds of the corporation.

It seems to me that these cases have fully committed this court to the doctrine that the statutes comprehend all cases, where the wrong to be remedied consists either in a waste of, or an injury to, the municipal estate, through corrupt official action, or through action in abuse of the powers conferred on municipal bodies, or in the commission of illegal official acts. Nor should the scope of the remedy given by the Legislature be too much restricted by construction. As it was said in *Ayres v. Lawrence* (59 N. Y. 192), which was the first case in this court of an action brought under the Taxpayers' Act, "in the construction of laws of the character of that under consideration, too much stress should not be laid on the strict and precise signification of words, but they should be construed liberally, with a view to the beneficial end proposed, to wit, the suppression of the mischief and the advancement of the remedy." It was there observed of the law, that its language was "sufficiently comprehensive to embrace every wrong by which taxpayers may be prejudiced, as within the purview of the act, if not within the literal and precise meaning of the words." Upon this head of the appeal, I am not inclined to entertain any doubt as to the right of the plaintiffs to bring their action to prevent the defendant Brooklyn city officials from paying salaries to those defendants, who are alleged to have been appointed to positions in the municipal service without a competitive examination as

to their merits and fitness, as prescribed by law, and to be, therefore, holding such positions illegally.

We have, then, to consider what was the effect of the insertion into article V of the Constitution, as amended in 1894, of section 9, which reads as follows: "Appointments and promotions in the civil service of the state, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this state, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. Laws shall be made to provide for the enforcement of this section."

I believe this State to be the only one where such a provision affecting its Civil Service has, thus far, been made a part of its fundamental law, and we are bound to assume, by reason of its presence there, and by reason of all the circumstances attending its insertion, that it was a most deliberate expression of the views of the representatives of the people. In the consideration of the object and purport of a constitutional provision, it is useful to regard the circumstances attending, and leading to, its insertion. The reform of Civil Service had long been the subject of discussion and of legislation, here and elsewhere. Examinations, whereby appointments to places in the public service might rest upon merits and fitness, had been provided for in England, some years before the first of our acts upon the subject was passed in 1883. It became evident there, as here, that they were of great value as agencies for the improvement and elevation of the public service, and the project of civil service reform made rapid progress. Not only in that most important respect, but, also, in the personal gain to the executive heads of departments, who were relieved of the burden and the responsibility of selecting competent subordinates, it commended itself to the general approval. The people of the State have now formally and solemnly declared at the polls

that appointments to public places shall be made upon the basis of merit and fitness, to be ascertained, so far as practicable, by competitive examinations. Their will in that respect has been expressed in the most impressive manner, by being embodied in the fundamental law of the State.

That it should be given full effect, no one will deny and one of the questions, which confronts us, is whether, as the appellants contend, it can only become operative through legislative provisions. They argue that the provisions of this section simply indicate the principles, in accordance with which appointments must be made, and that, being affirmative in character, they are not self-executing, until a law is passed providing for some method of determination and classification in accordance with those principles. The argument, while having some force, in so far as the civil divisions of the State, other than cities, are concerned, where the Legislature has failed to make a classification, or to provide some adequate machinery, through regulations or boards of examiners, fails to appreciate the positive and imperious nature of this constitutional mandate. The argument would make of the provision a direction, without imperative force. This is not the presumption we may indulge in, when we read the language and consider the very apparent design to protect the people against the evil effects of unfitness in those filling subordinate positions in the public service. From the time that the revised Constitution of 1894 went into effect, it commanded that all appointments should be made according to merit and fitness, to be ascertained, when practicable, by the test of competitive examinations. Every officer, charged with the duty of appointing his subordinates in office, in taking his oath of office, bound himself to obey it as the supreme law of the State and to carry it into effect as faithfully as it was in his power. It needed no legislation to give force to the command; however legislation might be needed, in order that the appointing officer might be enabled by the aid of proper machinery to competently fulfill his oath in making appointments. To use an illustration of the respondents' counsel, the neglect or refusal of the Legislature to pass appropriate laws, might make

the constitutional command as ineffectual, as would be the case of its failure to obey the command to provide for a constitutional convention every twenty years. Would the command be any the less imperative? There is much more in this section than an indication of the principles upon which appointments must be made; there is the establishment of a fundamental principle, which, while the constitutional provision remains, is a supreme law for the State and which is self-executing in all cases, where the Legislature has provided the ways and means for compliance with its requirements.

The provision in the section, that "laws shall be made to provide for the enforcement of this section," re-enforces its positive command. So far as laws do not already exist, which permit the mandate to be effectual, there shall be further legislation in the line of regulations. I do not see how the Sturgis case (152 N. Y. 11), which arose under the lottery clause of the Constitution (Art. 1, sec. 9), and to which counsel refers, commits us to any different view of the language of this section. It was there held that the lottery section was not intended to be self-executing; because of its language, that "the Legislature shall pass appropriate laws to prevent offenses against any of the provisions of this section." This was an express delegation of authority to the Legislature to enact laws, by which the section should be given force. The Legislature was, in effect, directed to enact laws for the definition, prevention and punishment of crimes coming within the general language of the section, which forbade that any lottery, poolselling, bookmaking, or any other kind of gambling, shall "be authorized or allowed within this State." That section is very different in its language from the one we are considering; where we have the positive and unmistakable utterance of a command upon the subject of appointments and where the only room for legislation is in the sphere of providing ways and means for a general and faithful compliance by executive officers.

I have suggested that the section was framed as a deliberate expression of the views of the representatives of the people in the Constitutional Convention, held in the year 1894. Civil Service

reform had then passed the tentative stage. In 1883 an act had been passed relating to appointments in the civil service of the State, which provided for the making of rules and regulations for the examination of persons seeking admission into the Civil Service of the State, or of the cities of the State. (Chapter 354, Laws of 1883.) The original statute had been made the subject of many amendments, down to the legislative session of 1894. Regulations had been promulgated by the Governor and by mayors of cities, Civil Service Commissions had been appointed and, in the decade that had elapsed since the passage of the first law, the public attention had been directed to the development and result of this plan for elevating and improving the Civil Service. Civil Service examinations had not gone unchallenged as to their efficacy and the antagonism had been pronounced. The proposed amendment of the Constitution was introduced as early as in the month of June, in the session of the Constitutional Convention of 1894. It was taken up in the month of September and made the subject of prolonged debate. I think we may, safely and fairly, presume that the members of the Convention had actually, and well, in mind, not only the public proceedings had in legislative and administrative bodies upon the subject, but, as well, what the operation of the law had been reduced to in practice. It may not amount to a legal presumption of knowledge as to all the details of its working; but, in considering the duty resting upon a deliberative body, chosen to revise the Constitution of a State, I regard it as a proper and natural presumption to indulge in, that the working of the law in practice and the conditions brought about by rules and regulations, were the subject of study and of reflection.

The Civil Service articles for cities provided that "the mayor of each city in this State is * * * hereby directed to prescribe such regulations for the admission of persons into the Civil Service of said city as may best promote the efficiency thereof, and ascertain the fitness of candidates in respect to character, knowledge and ability for the branch of the service into which they seek to enter, and for this purpose he shall, from

time to time, employ suitable persons to conduct such inquiries and make examinations," etc. Such regulations, by the article, were to provide and declare, as in the case of admission to the Civil Service of the State, "as nearly as the conditions of good administration will warrant," for open and competitive examinations for testing the fitness of applicants, which should be practical in their character and fairly test the relative capacity and fitness of the persons examined, and that "all of the offices, places and employments * * * shall be filled by selections from among those graded highest as the result of such competitive examination." The mayor was required to arrange in classes the clerks and persons employed in the public service of the city, and "he shall include in one or more of such classes, so far as practicable for the purposes of examination herein provided for, all subordinate clerks and officers in the public service of the said city," etc. The further provisions of the article relate to the exemption from the regulations, prescribed pursuant to the section, of elective officers and the subordinates, for whose errors they were financially responsible; of heads of departments; persons in the educational departments, and every subordinate officer who, by virtue of his office, had personal custody of public funds, for the safekeeping of which the head of the office was under official bonds. (Laws of 1883, chap. 354, sec. 8, as amended by Laws of 1884, chap. 410, sec. 2.) Under this article, regulations were variously promulgated; and, as we are concerned with those prescribed by the mayors of Brooklyn, we shall refer to them. They provided for three schedules, termed A, B and D. Schedule A included places for which appointments might be made without examination. Schedule B included places to be filled upon a competitive examination. Schedule D included the cases of laborers and day workmen. It was also provided by the regulations that all new or omitted positions shall be deemed to be in Schedule B, unless the assignment of such positions to some other schedule be made by the mayor, and this evidences that that schedule was to be regarded as containing the general rule in the making of appointments. Classification was made

into schedules of the various clerks and persons employed in the city service and thereafter, from time to time, were made assignments by the mayors of positions to the noncompetitive schedule, so that, prior to January 1, 1895, when the revised Constitution went into effect, six of the positions filled by the appointees, defendants in this action, were assigned to that schedule, and after that date five were so assigned. Whether any of these defendants might be considered, by virtue of his office or his relations to the head of the department, to be exempted from the examination prescribed by law, is a matter to be discussed later. The methods and extent of examination are most amply exhibited in this record, and it very clearly is made to appear that the Civil Service Commissioners have tested the qualifications of applicants in such practical ways as would reveal what experience, technical equipment, character and reputation they possessed.

It is the claim of the appellants, in effect, that the revised Constitution has not affected the provisions of the Civil Service statutes nor has substantially changed the conditions as to the classification of positions, the determination of the classes and the method of appointment, and that they remain, as before, questions for the sole determination of the administrative officers of the State and city governments. There can be no doubt that, so far as the existing laws were consistent with the provisions of the Constitution, they were unaffected by them. Only such acts of the Legislature as were repugnant to the Constitution were expressly abrogated. (Art. 1, sec. 16.) But the constitutional provision was so radical in its operation that, thenceforth, the rather plenary exercise of discretion, vested by the statute in the administrative officers of the government, was taken away. There was no longer to be that latitude of discretion, which was afforded by such provisions, as that the regulations should be such "as may best promote the efficiency thereof," or "as nearly as the conditions of good administration will warrant." The constitutional convention and the people, who adopted their work of revision, had in mind a more stringent principle in appointing persons to perform duties affecting the public interests. Thence-

forth, appointments should be upon the basis of a fitness for office, to be solely tested, when it was practicable to do so, by examinations which should be competitive in their nature, if that, too, was practicable. It was not proposed that the benefits which they believed would result from the strict application of such a principle should be lost or diminished by the exercise of a merely formal judgment or of an arbitrary legislative discretion.

We have recently had occasion to consider the effect of this constitutional provision in depriving the Legislature of any purely arbitrary power of determination as to what places it was practicable to fill by appointment without competition. The Keymer case (148 N. Y. 219), arose under chapter 344 of the Laws of 1895, which amended the Civil Service Act so as to create an exemption in favor of the veterans therein described from competitive examinations. The language used was that "competitive examinations shall not be deemed practicable or necessary" in such a case. We held the act to be unconstitutional, because it referred only to veterans of the civil war, and created a favored class, and because it arbitrarily declared as to them competitive examinations should not be deemed practicable in cases where the compensation does not exceed four dollars per day. Judge Bartlett, delivering the opinion of this court, observed that "while it is true that the Constitution contemplates that it may not always be practicable to ascertain merit and fitness by examinations or to have these examinations competitive, yet a mere arbitrary declaration in an act of the Legislature that competitive examinations of veterans are impracticable in cases where the compensation does not exceed four dollars per day, is in plain violation of the provisions of the Constitution making competitive examinations necessary."

The use of the word "practicable" in the section has been seized upon as the basis for an argument, by implication, that it was recognized that it might not always be possible to test merits and fitness, in every instance, by an examination, competitive or noncompetitive, and as existing laws were left in force, so far as not repugnant to the Constitution, that all questions of classifica-

tion and of matters of appointment thereunder are left to the determination of the mayors, as provided for by the acts of the legislative body, in whom such a power of legislation resided. The significance of the terminology of this section is not open to so broad an implication. All exceptions to the rule of examinations were abrogated by the section, which formerly existed by statute, or which became engrafted upon the law by regulations. There were to be no more exemptions from examinations in any case, unless it was one where, from its peculiar nature, it could be seen that an examination would not be practicable for the purpose. It is not difficult to understand what was intended, however difficult it might be to furnish a definition which would include the cases where examinations would not be practicable. Such cases might be found in the selection of a private secretary, where the statute gave the power to appoint such, or in the selection of an attendant or clerk by a judicial or executive officer, where there was a similar power to make the appointment. In such and like cases the requirements for the place might consist rather in the capacity of the person to inspire and to deserve personal confidence and a personal liking, than in the possession of experience, or knowledge, or a technical equipment. Such might well be the case, where the executive officer is charged with such responsibility, in the performance of the duties of his office, as to acquire him to rest upon the vigilance, integrity and personal faithfulness of a clerk; qualities which examinations might insufficiently display, if at all. So, with respect to competitive examinations, cases can be conceived of where they might not be practicable; whether simply from the absence of any competitors, or more pertinently, where the nature of the work to be performed by the applicant is such that an examination in competition with others would not aid in determining his fitness for the particular position to be filled. It would not be profitable for us to attempt any elaborate definition. As cases arise, where it is sought to apply the exception to examinations, competitive or noncompetitive, upon the ground of the impracticability contemplated by the section, they

will have to be passed upon by the courts. The question is necessarily a judicial one. Whether, in a given case, a competitive examination is practicable to ascertain the merits and fitness of the applicant for the place, is mainly a question of legal construction; which is to be determined by reference to the requirements of the office and by the use of judgment, aided by the facts of the case. Whether a classification, or a determination made as to the method of appointment, is in conflict with the constitutional provision, or is in evasion of its spirit and purpose, must be a question for the ultimate decision of the courts.

There should be no ground for the fear, suggested by the appellants' counsel, of an undue interference by the courts with the exercise of discretionary powers vested by law in the administrative departments of government. The exercise in good faith of administrative judgment, resting upon facts and circumstances, which leave the question of the practicability of an appointment upon the examination test prescribed, a fairly debatable one, should not and will not be disturbed. Nor is there any inclination to intrude upon the sphere of any legislative action, when, in the enactment of the laws called for by the constitutional provision, or deemed requisite in some exigency, it shall undertake to classify, or to declare with respect to the practicability of competitive examinations in a class of cases; provided that its action is in the exercise of a reasonable discretion and not open to the charge of intending a violation of the fundamental law. As it was observed in the Keymer case (*supra*), with respect to the possibility of offices and positions arising, which, in the light of experience, could not be filled by competition, "it will be competent for the Legislature to provide for it by an appropriate act, disclosing the circumstances which justify its intervention." The power of the courts is rather supervisory in its nature and it is intended that it shall be invoked, whenever the charge is made that the constitutional guarantees have been infringed upon by legislation. The duty of the court is in no wise to classify, but to pass upon a question of classification, in view of the requirements of the Constitution.

The question of the extent to which the constitutional provision is self-executing is to be answered from a reasonable survey of the whole section. It is sweeping in its provision as to all existing exceptions or exemptions. Veterans were to pass examinations, although accorded a preference in appointment and promotion upon the lists, and appointments in the department of public works of the State, theretofore without the operation of the Civil Service Law, were brought within its provisions. As it was held in the McClelland case (148 N. Y. 360), the result of requiring the general application of the Civil Service Act has been "effectually accomplished by the adoption of the new provision in the fundamental law." As previously pointed out, the Constitution provided for the continuance in force of all legislative acts, not repugnant to it, and when the revisers inserted in the section a provision that laws shall be made to provide for its enforcement, they understood that, while there were laws in existence, which applied to the civil service in the State and in the cities, and which provided for the appointment of commissions and the promulgation of regulations, etc., there were none which were applicable to the villages or other civil subdivisions of the State. The propriety of such legislation, as would enable the constitutional command to be complied with everywhere, was obvious. The purpose of the direction in the section to make laws, therefore, was to make it possible that throughout the length and breadth of the civil service in this State, there might be a complete obedience to the command, through an authoritative and intelligent adaptation of the law to the conditions of the various localities. It became, and it is, the duty of the Legislature to enact such a law, or laws, as would secure to the people of the State, in all its civil divisions, the benefits of a compliance with the constitutional provision. The failure of the legislature to do so should be attributed to a misapprehension of the situation, introduced by the adoption of the revised Constitution, rather than to any intention to disregard the duty imposed upon it. Until such legislation is had with respect to the counties, towns and villages of the State, that positions are

classified and that commissions, or boards of examiners, and all necessary machinery are authorized and provided for, the amendment of the Constitution may remain ineffectual. In the opinion in the McClelland case, it was remarked that "it was the intention to put all the new provisions of the Constitution into operation through the instrumentality of such laws as were then in force, so far as practicable, and if, in practice, they were found to be in any respect insufficient for that purpose, they were to be replaced or supplemented by new ones."

That the section is self-executing, I do not think we can deny and, indeed, we so held in the McClelland case; but in the reasonable sense. Legislation was only needed in order to guide appointing officers and to furnish them with proper authority and rules to perform their duty under the law. I think it does not impair the operative force of the constitutional prohibition, that it may be, in part, ineffectual, until the revision of present laws, or the enactment of new ones, shall prescribe a classification of positions, or the mode in which the constitutional provision should be complied with.

Nor does this view work so harshly upon executive officers, or upon their appointees, as to avoid the appointments *ab initio* and to subject the former to some personal liability, or the latter to the loss of their compensation for services actually performed. In the absence of bad faith, fraud, or collusion, appointments made under existing civil service regulations should not subject the appointing officers personally to liability for the salaries paid, if it be determined that the appointments have been illegally made. The discretion exercised by the mayors in assigning positions to noncompetitive schedules may have been mistakenly and erroneously exercised; but, until it has been declared judicially that those positions were, within the purview of the Constitution, such as it was practicable to fill by appointment from lists of persons who had successfully passed the required examinations, the appointments stand and the incumbents of the offices are entitled to be paid their salaries or compensation. The constitutional provision must be humanly viewed. It recognizes that

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examinations may not always be practicable to test the qualifications of applicants for public office, and a classification, containing a noncompetitive schedule, or a determination upon the method of a noncompetitive appointment, made in good faith, will not be presumed to have been in disregard of the constitutional requirements. Remedies by action are afforded, to test the legality of the method of appointments to office and to secure a judicial revision of the subject of complaint. I am of the opinion, therefore, that the defendant appointees are entitled to the salaries or compensation earned by them, until by a final and conclusive judgment the legality of the mayor's classification has been determined upon.

Finally, upon the question of the positions held by the defendant appointees, I am unable to find any ground for holding that competitive examinations were not perfectly practicable to test their merits and fitness. Their positions cannot be said to be of a character which makes examinations impracticable, as a mode of ascertaining the fitness of applicants. In almost all of the positions in the civil service, confidence must be reposed in the appointee and his honesty is an important prerequisite, and, if the practicability of competitive examinations were made to depend upon such considerations merely, it would go far to emasculate the vigor of the reform intended to be effected by the constitutional amendment. The disposition should not be too liberal in the construction of the term "practicable," when applied to competitive examinations. The desire of the people for the efficient services of persons, selected for their competency to perform them, should not be thwarted by refining away the language, in which that desire has been expressed. The dominant idea was that public servants should be competent for their positions. They have solemnly decided that subordinate public officers in the departments of the civil service should not be filled by appointments, made as mere rewards to political or personal adherents, but upon the sole basis of ascertained merits and fitness. It will not suffice, to avoid its applicability to some positions, that it requires the repose of some trust in the appointee. This is not the true signifi-

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cance of the language of the section. It is perfectly practicable to ascertain the fitness of a person to be trusted in a clerical or other subordinate position in a department through the methods of the examinations provided for by the regulations. The service is a public one and rarely confidential as in the case of private employment. This very voluminous record, among other matters exhibited to illustrate the workings and merits of the civil service rules, contains exhibits of actual competitive examinations held for applicants for positions in the different grades of the city's service, with the method of marking, and that they are practical in their character and relate to matters which fairly test relative capacity and fitness to discharge the duties of the office applied for, I do not think can justly be denied. I do not see why every one of the positions described in this action could not be filled, to the better satisfaction of the executive head and the public upon competitive examinations. That moneys will be handled is no adequate reason for exemption. As before said, it should actually appear that an examination, competitive or non-competitive, could not fully satisfy the peculiar, or personal, requirements of the position to be filled, in order that it may be held to come within the purview of the Constitution as one which might be appointed to by a mere personal selection. None of the defendants can be fairly said to be filling such a position.

No other questions demand a continuance of this discussion, the length of which is only justified by the importance of the questions, which have been argued with exceptional thoroughness and ability by both counsel. Generally stated, the conclusions I have reached, are that section 9 of article V of the new Constitution operated to modify the civil service laws and regulations, which were existing on January 1, 1895, and to establish as the sole rule for appointments to subordinate positions in the civil service an ascertained merit and fitness in the applicant, upon competitive examination; that its effect was to abrogate all exemptions and exceptions to the rule, unless in some case where such examinations were impracticable as a method of appointment; that the provision executed itself in the public service of the State and of

the cities, but needed legislation in other civil subdivisions to govern the conduct of appointing officials and to regulate compliance by them; that, in a case arising upon the legality of a classification, or assignment, of a position in a noncompetitive schedule, the question becomes a judicial one and is for the revision of the courts, upon the facts as found and in the light of a common experience and a common knowledge; that until a final and conclusive judgment is had, which determines the illegality of appointments, the appointees in office are entitled to be paid their salaries or compensation; and, finally, that competitive examinations were practicable, in the constitutional purview, for all the positions filled by the defendants.

I think that the judgment should be modified so as to conform to this opinion and as so modified, it should be affirmed.

O'Brien, J. (dissenting). I concur in many of the general conclusions of Judge Gray with respect to the questions involved in this case. But since I have arrived at the conclusion that the judgment appealed from is right in its entire scope and meaning, I prefer to state, in as brief language as possible, the grounds upon which it is based. Many of the questions discussed at the argument and upon the briefs of counsel have long been settled, and have been so clearly removed from the domain of doubt or discussion that a bare statement of the principle is sufficient.

The right of a taxpayer to maintain such an action is no longer an open question. The statute gives the right in express words, and this court, in at least two cases, and upon facts substantially identical with those appearing in this record, has sustained the right. (*Rogers v. Buffalo*, 123 N. Y. 173; *Peck v. Belknap*, 130 N. Y. 394.)

We have recently sustained the right of a taxpayer to maintain an action to restrain the common council of a city from proceeding to appoint police commissioners under a law claimed to be in violation of the Constitution. (*Rathbone v. Wirth*, 150 N. Y. 459.) This is an action to restrain the payment of salaries to persons appointed in the civil service of the city, as it is alleged, in violation of the same instrument. That was an action to restrain the

municipal authorities from making the appointments for similar reasons. No substantial distinction can be made between the two cases, and if it was ever desirable to limit the right to bring actions of this character by refining away the statute, it is too late now. There is nothing in this case to warrant the court in reviewing its former decisions on this subject, much less in reversing them.

Nor is the right to maintain the action affected by the fact that the alleged illegal act may be reviewed or corrected in some other way. Such a rule would practically repeal the statute, since many of the official acts of public officers are subject to such review. The taxpayers' action is an additional remedy in equity, and exists quite independent of all other methods for testing the question whether the proceedings or the official acts in any given case are or are not illegal.

The controversy in this case depends upon the meaning, scope and application of a new provision which has been inserted in the Constitution: "Appointments and promotions in the civil service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; * * * Laws shall be made to provide for the enforcement of this section." (Art. 5, § 9.)

No one can deny that this provision of the Constitution is a limitation upon the power of appointment to places in the civil service. It is not a mere authority to the Legislature to create a limitation. It is a limitation in itself, and by its own force affects not only the power of the Legislature over the subject, but that of every public officer in the State who has been intrusted with the power to make appointments. All such officers who, since the first day of January, 1895, have taken the oath to support the Constitution, have virtually sworn that they would make no appointments in the civil service except according to merit and fitness, to be ascertained, so far as practicable, by competitive examinations. The argument of the learned corporation counsel as I understand it, is to the effect that until the Legislature shall make further regulations on the subject, it is impossible to carry out the

pledge involved in such an oath. Since it will be necessary to refer to this subject hereafter we need not now stop to inquire how far it is true in fact that public officers are confronted by such a dilemma.

The scope, meaning and intent of every constitutional limitation upon power must, in the end, present a judicial question. Administrative or ministerial officers, who have to deal with the limitation in the performance of their duties, are bound to decide all questions that may arise as to its application according to the best lights that they may have. They must discharge all the obligations imposed by conscience and their oaths according to the best of their ability. But when their acts are questioned, as they are in this case, they must be brought to the test of the Constitution through judicial action. The Governor, the Legislature, the mayor of a city, and other officers exercising like powers, must frequently determine for themselves the meaning of the Constitution, but when it is alleged that any such determination is erroneous the dispute must be finally settled by this court.

That is the precise character of the controversy presented by this record. The comptroller and other executive officers of Brooklyn have filled eleven designated places in the Civil Service of that city since the Constitution went into effect without any examination whatever to test the merit or fitness of the appointees. If they have made these appointments with regard to merit or fitness, then, obviously, they must have ascertained these qualities in the appointees in some other way, or by some other method, than that which is clearly pointed out in the Constitution. The validity of these official acts is challenged by the citizens of Brooklyn who pay taxes and who are authorized to bring all such acts to the test of the law and the Constitution by an appropriate action.

That it was practicable within the meaning of the Constitution to ascertain the merit and fitness of these eleven persons by competitive examinations is not, I think, now an open question. It was found unanimously by the court below that such examinations were practicable, and even if the question could be regarded

as an original one here there could be no doubt about it from the nature of the duties to be performed. There was a stamp clerk and a clerk to the board of aldermen, a dockmaster and an assistant warrant clerk, a collector of license fees in the fire department and a surveyor of land in the department of assessments, a clerk in the license bureau and another in the department of audit, what is called a secretary to the department of buildings, with duties purely clerical, and a clerk in the law department, and, finally, a finance clerk in the health department. It appears that his duties are to make searches in the department for the records of marriages, births and deaths, and to receive and pay over to the city the fees therefor, which amount in the whole year to about \$158 per month.

The title which is given to this appointee does not describe his duties, which are of the most routine character. They cannot by any effort of the imagination or any refinement of reasoning be made to bring the place within any exception to the general rule of competitive examination. The duties of such clerks or agents are not involved in any doubt or mystery. They are matters of common knowledge, and it would be impossible for any court to assign any satisfactory reason why such places cannot be filled by the appointing power according to the scheme of the Constitution.

But the plaintiffs at the trial did not rest the case upon the right of the court to take judicial notice of the duties of the several appointees. They gave a mass of testimony, derived from various sources, tending to show that it was practicable to fill all the places by competitive examination. The defendants gave none, and, so far as this question depends upon facts, the proof on the part of the plaintiffs was uncontradicted.

Six judges of the Supreme Court have determined unanimously that it was practicable to fill all these places by competitive examinations. In my opinion this court has no right to review the decision upon this question. Whether it is practicable to do a certain thing in a certain way must in some measure at least depend upon facts and circumstances that may be the subject

of inquiry at the trial. The question, when determined there and affirmed by the Appellate Division, should be regarded in this court as settled for all the purposes of the case. The jurisdiction of this court is confined to questions of law, and whether it is practicable to fill a given place in the public service by competitive examination is not a pure question of law. It may in many cases require proof as to the nature of the duties to be performed, and when the proof is given it is for the trial court to pass upon it, and the finding is conclusive upon this court. It seems to me that even before the provisions of the present Constitution went into effect that we would be bound to follow the findings of the courts below on this question. In the face of the findings of the courts below, that it was practicable to fill the places in question by competitive examinations, the learned corporation counsel does not attempt to show that it was not. His position is that the appointing power had authority to decide that it was not practicable to fill the places by competitive examinations, and that, having so decided, the courts have nothing further to do with the question. The soundness of this proposition will be considered hereafter, but enough has been said to show that this court is not concerned with any question with respect to the practicability of filling all these places according to merit and fitness, to be ascertained by competitive examinations. That question may be regarded as settled, so far as this case is concerned, by the judgment of the courts below.

When the Constitution went into effect on the first day of January, 1895, it became, with respect to all appointments and promotions in the Civil Service of the State or in any city, the supreme law of the land, anything in any statutes, rules or regulations to the contrary notwithstanding. In so far as the statutes, rules and regulations upon the subject of admissions to the Civil Service were not repugnant to the Constitution, they undoubtedly remain in force, but in so far as they were inconsistent with or repugnant to it, or in any respect tended to defeat, obstruct or evade the plain mandate which it contained, they were swept away and immediately ceased to exist. The mandate of the

Constitution was that thereafter a certain thing should be done in a certain way, if it was practicable to do it in that way, and it was not only an affirmative command to do the thing in that way, but a negative prohibition against doing it in any other way. (*People v. Draper*, 15 N. Y. 544; *Rathbone v. Wirth*, 150 N. Y. 468.) If the Constitution did not contain within itself, or with the existing laws which it preserved, all the means for the execution of the affirmative mandate in the way prescribed, it certainly was potent enough in its negative or prohibitory injunction to forbid and prevent the doing of the thing in any other way. Any constitutional provision is self-executing to this extent—that everything done in violation of it is void. (*Cooley's Const. Lim.* [5th ed.] 100; *Law v. People*, 87 Ill. 385.) If it be true that the defendants had not been furnished by the Legislature with the necessary machinery for making appointments in the manner prescribed by the Constitution, then the result would be that they could not make them at all.

We have, therefore, a case before us where the Constitution commands that appointments shall be made only after competitive examinations, when such examinations are practicable. We have the question settled that it was practicable to fill the places by competitive examinations, and we have the conceded fact that the appointments were made without any examinations whatever. The vital issue between the parties to this action is whether these appointments were legal or illegal, whether made in violation of law or in conformity with law. I have thus far confined the discussion to certain propositions that are either admitted or not seriously contested. Most, if not all of them, are so plain as to be self-evident. If they are not, then they are, as it seems to me, so strongly entrenched in reason and in law that they cannot be weakened by argument or entangled by sophistry. They lead logically and inevitably to the conclusion that the appointments in question were illegally made, and but for the elaborate argument of the learned corporation counsel to prove that they were made in accordance with the Constitution and the law, the discussion might end here.

That argument deserves a fair analysis, though it is quite difficult to summarize it accurately. It would not be fair to approach the argument in justification of these appointments in any narrow, captious or fault-finding spirit. We are not much concerned with individuals, and we can look at their acts and conduct with the broadest charity. We are dealing with principles and not men. We are concerned with the Constitution and the laws in their relation to the Civil Service of a great State and in the great cities of the State. The future of the law which now rests upon the basis of the Constitution is dependent upon the decision of this court. The decision in this case will either place the reform upon a reasonable and just basis and command the approval of all good men, or it will be a step backward.

We cannot allow this case to turn upon any smaller question than the true intent and meaning of the Constitution. If the intent and meaning be what the corporation counsel claims then there is no case against the officers who have been made defendants, but if, on the contrary, the Constitution has been ignored in making the appointments, we ought to declare the fact, no matter who is affected by the result.

The argument of the learned corporation counsel may be summarized as follows:

(1) The Constitution has neither enlarged the duties nor abridged the powers of public officers making appointments in the civil service of the State or of any city. The Constitution was simply intended to preserve the statute and it means just what the statute meant and no more.

(2) These appointments were made in conformity with the statute and rules regulating admissions to the civil service in force prior to January 1, 1895. That the rules under which they were made were then in force and are still in force, not having been affected by the adoption of the Constitution.

(3) That the mayor of Brooklyn was authorized to determine and has determined that it was not practicable to fill any of these eleven places by competitive examinations, and that such determination protects the defendants and all their appointees and is binding upon the courts.

(4) That all questions with respect to such appointments are purely administrative within the power and discretion of the appointing power, whose decision is final and not subject to be questioned in an action by a taxpayer.

These propositions are slightly softened or modified in the course of the argument by certain exceptions, and these exceptions will be noticed hereafter, but it is believed that this is a fair outline of the argument, though perhaps expressed in different form of words. It will be convenient here to briefly notice the third proposition since it is based upon matters of fact. There is nothing in the record to show that any mayor of Brooklyn ever made any decision that these eleven places, or any of them, could not be filled by competitive examinations, or that it was not practicable to do so. There is nothing to show that any such question was ever considered or passed upon. It does appear that all these places were put into the noncompetitive schedule from time to time by the mayor, two of them having been placed there since the present Constitution went into effect. So far as appears the only reason for this was the request of the heads of departments. It is a singular fact that no mayor has ventured to assert, either as a witness in this case, or in any other way, that even one of these places was placed in that schedule for the reason that it was decided to be impracticable to fill the place by competitive examination. The corporation counsel is thus compelled to stand upon the narrow and, as it seems to me, untenable ground that the mere designation of these places in the noncompetitive schedule, for any reason or for no reason, necessarily and conclusively imports a determination by the proper authority that it was not practicable to fill the places by competitive examinations. This, of course, would make every arbitrary addition to that schedule conclusive, a proposition that seems to me to be impossible to defend in reason or law.

The noncompetitive schedule plays such an important part in this controversy, and indeed must play such an important part in the administration of every civil service law, that the questions in dispute cannot be fairly treated or clearly understood without

an accurate knowledge of the origin, growth and real meaning of that schedule. Before the Constitution was adopted, and under the statute and rules, the administration of the law in the State was left largely with the Governor, and in cities with the mayor. They could exercise what may well be called the dispensing power, that is, the power to say whether the law and the rules should apply to a particular case. Applications were constantly made to them to take some particular place out of the operation of the law, and it is known that these applications were seldom refused when pressed by the head of some department, and so the noncompetitive schedule became the repository of executive favors. It was not necessary to determine, and in fact scarcely ever was determined, that it was not practicable to fill the place by competitive examinations. They could exempt the place for various reasons at discretion or without any reason. This resulted from the vague language of the statute which did not, as the Constitution now does, unqualifiedly limit such special exceptions to cases where it is not practicable to fill the place by competitive examination.

The places were to be filled by examinations "as nearly as the conditions of good administration will warrant." The mayor was to make regulations for the admission of persons to the civil service of the city upon the principle of competitive examinations "as may best promote the efficiency thereof." These vague and ill-defined exceptions and limitations did not confine the appointing power to the question of practicability, as the Constitution now does. It is true that the word is used in the statute, but only in connection with the vague discretionary provisions above referred to. The result was, as might well have been expected, that there was constant complaint that the power to dispense with the operation of the law was frequently abused. Such vague powers always have been and always will be abused. The dispensing power was the prolific source of irritation between the government and the people in England for centuries, and we know what the result was in the end. When the original regulations were made by Mayor Low, in 1884, there were only five

of the places in question placed in that favored schedule. The other six have been added since 1894. The exemption of the five places in the original schedule was not made because it was impracticable to fill them from the eligible list, but on grounds of policy and expediency, which constrained a cautious executive to avoid attempting too much with a new and untried law which he had reason to believe was not popular with all classes. The other six places were dropped into the schedule since 1894 at the request of the heads of the departments.

So it is plain that this schedule, at the time these appointments were made, had little, if any, relation to the question of practicability. It represented many other things and was based upon many other reasons.

It represented a liberal exercise by the mayor of his dispensing power, based simply upon the wishes of heads of departments. They frequently found the law an obstacle in the way of discharging obligations which were supposed to be due to personal or political friends, and often succeeded in persuading the executive to relieve them from its trammels, and the noncompetitive schedule was the favorite device for this purpose.

Thus, by the exercise of the discretion conferred by the statutes upon the executive to dispense with the law in special cases, all the evils which the statute was intended to suppress grew and flourished under it until the method of administration become a reproach to all concerned, and the law itself was in danger of falling into contempt with the people. The convention to amend the Constitution was regarded by the friends of the law as a favorable opportunity to rescue it from the scandal connected with administration which originated in the exercise of discretionary power, and they seized upon it and the result was that the principle was embodied in the Constitution in language that is not to be mistaken. It was precisely the abuses to which I have referred, and especially the evasions which had theretofore existed through the operation of the noncompetitive schedule, that were intended to be swept away by the Constitution. Nothing can be clearer than that there was present to the minds of

the members of the convention the abuses in the administration of the law which have been referred to. The amendment was evidently drawn by the friends of the reform, and the convention was called upon to adopt or reject it. The former course was decided to be the best, and, under these circumstances, what this or that member said upon the subject, or the interpretation that he put upon the language of the amendment, is of little consequence. The obvious effect of the Constitution was to remove the eleven places in question from the noncompetitive schedule since it was practicable to fill them all by competitive examinations.

It should also be noted that the placing of these positions in that schedule was in the nature of a privilege or a favor to the appointing officer. He was not obliged to accept the privilege or act upon the dispensation. He could still fill the place, if he wanted to, from the eligible list made up as the result of competitive examinations. He could still act upon the general rule, which was competition, and refuse to avail himself of the right to dispense with the law. A place that may be filled without an examination may also be filled at the election of the appointing officer by the appointment of a person whose merit and fitness for the place have been ascertained by competitive examination. Even in cases where the constitutional test may be dispensed with, the fact that the candidate has passed the test can never disqualify him for any appointment.

The learned corporation counsel argues that the defendants could not have made these appointments in any other way. In this he is clearly mistaken, since, when the non-competitive schedule was abrogated by the Constitution, they had the eligible list to fall back upon and could have selected every one of the appointees from that list. Had they taken that course, they would now stand upon solid ground and would be armed with the weapons for a complete answer and defense to all such actions as this. The claim that the mandate of the Constitution could not be obeyed, when the appointing power had all the time at hand the eligible list to select from, cannot for a moment be

entertained. Even if it were true that these appointments could not have been made under the Constitution, the worst that could happen would be, not to make them at all. The defendants found the places all filled by persons, many of whom had served for years, and, even if the Constitution had tied their hands and left them without the power to change a stamp clerk or a custodian of the records of marriages, births and deaths, there is nothing in the record to show that this would have been any great calamity.

But we have seen that, in so far as the non-competitive schedule had been abrogated by the Constitution, the competitive schedule and eligible list took its place, and there was not the slightest difficulty in making the appointments from them. The eleven names in question were not found on any list. The places had been thrown into the non-competitive schedule, and the defendants, in the belief, no doubt, that the old state of things continued, selected the appointees according to their own will.

The learned corporation counsel has made one important exception to his fundamental proposition that the power of the mayor to dispense with examinations in special cases still exists. He admits that the privileges of veterans have been abolished. This court has so decided, and also that the Legislature has no power to dispense with the law in cases where the compensation does not exceed \$4 per day. (Keymer case, 148 N. Y. 219; Sweeley case, 12 Misc. Rep. 174; 146 N. Y. 401). This is a significant admission. If the Legislature had no power to exempt veterans, and had no power to make the test of practicability depends on compensation, what became of those numerous exemptions from all examinations made from time to time by the mayor, not only before but after the Constitution went into effect, where examinations were practicable? What good reason is there for the contention, that while the former have been abrogated or invalidated by the Constitution, the latter remain in full force? The Constitution has left but one exception to the general rule, and that is a case where it is not practicable to fill the place by competitive examination. It is not enough that the

Legislature, or some administrative officer, has declared that it is not practicable in a given case. It must appear, when all the reasons and circumstances are known, to be in fact impracticable, and, while that question may be decided by the appointing power in the first instance, yet in all cases of dispute, it must be decided by the courts.

The fatal weakness in the argument of the learned corporation counsel is found in the assumption that not only all assignments made by the mayor to the non-competitive schedule prior to the adoption of the Constitution on January 1, 1895, remained in force, but that after that date he had the power to continue to make such assignments, with or without reason, and without regard to the question whether examinations were practicable or not. In other words, the claim is made that the dispensing power has not been affected by the Constitution. This position is plainly untenable. Every assignment to that schedule made before the Constitution took effect, in which it was practicable to fill the place by competitive examination, has been abrogated, and every assignment of a like character since made is void since they are in conflict with the Constitution.

When the appointments were made they were all by force of the Constitution in the competitive schedule, which in fact and in terms covered every one of the places, and the appointees should have been selected from the eligible list.

The question whether the Constitution is self-executing is not a practical one in this case. The question is whether, by its own force and by force of all the civil service laws and regulations which are behind it and are preserved by it, these eleven appointments should not have been made from the eligible list. The Constitution found and left a complete system of statute law in force which was ample to enable every appointing officer to execute its mandate, and it extended the civil service principle to all the civil divisions of the State, including villages. It is said that since counties and villages have no adequate means of putting the constitutional provision in force, it cannot be self-executing, but must await legislation.

This is undoubtedly the most favorable situation that can be selected to enforce the argument that the Constitution is dependent upon legislation. It has been said that a constitutional provision is self-executing if it supplies a sufficient rule, by means of which the right given may be enjoyed and protected or the duty imposed may be enforced. (Cooley's Const. Lim. 100.)

While we are not concerned in this case with appointments in villages or counties, it would not be difficult to show that there is not a village or county in the State in which the mandate of the Constitution cannot be complied with to-day without further legislation. It is only necessary that the appointing authority should be in harmony with the law and absolutely bound to obey it and respect his official oath. If he is zealous to comply with the Constitution all difficulties will immediately vanish. Let him but announce to the public that he will make no appointments to office except according to merit and fitness, to be ascertained by competitive examinations, and he will not fail to find candidates at hand who have complied with the test. The State civil service examinations are held periodically in every locality of the State, and from that source he can obtain an abundant supply of qualified candidates for every place that he may desire to fill. It is not necessary in order to put the mandate of the Constitution into immediate operation to wait until a village or a county civil service board is organized by the Legislature. All the Constitution requires is that there shall be an honest, open, competitive examination, and the State can furnish that even to candidates in the particular county better than any local authority.

A village or county civil service board would be likely to be or become a weak, inefficient thing, while the State has every facility for placing at the door of the appointing officer all the machinery necessary to enable him to execute the mandate of the Constitution. Any county clerk or other county officer who has appointments to make, and who earnestly desires to comply with the Constitution, will find no difficulty in accomplishing his purpose. The Legislature has undoubted power of regulation, and doubtless there may be cases where it should be exercised,

but the broad assertion that the Constitution must remain a dead letter until the Legislature moves cannot be sustained by any sound argument.

One of the main purposes of the Constitution, and of every civil service law or regulation, is to produce an honest, eligible list. When the appointing power has full and free access to that there can be no difficulty in complying with the letter and spirit of the Constitution. Even before the constitutional provision went into effect competitive examinations were the rule of the civil service, and no examinations whatever the exception. These exceptions have been abolished, and the Constitution has put it out of the power of the Legislature, or of any executive officer, to make a new exception, or to maintain an old exception to the general rule that competition shall prevail, unless shown, as matter of fact, to be impracticable. That is the only condition upon which the Constitution will permit any deviation from the law, and since, in every view of this case, that condition did not exist, the appointments in question were in violation of the commands of the Constitution.

There is, it seems to me, a strange discord between the doctrines of the prevailing opinion in this case and the former utterances of this court on the same questions. The keynote of that opinion is that the classification of the Governor or the mayor, though in conflict with the Constitution and the statute, is, nevertheless, good, and protects all executive officers and appointees until set aside. If this proposition is sound, then it follows that the mayor may place all appointments in the non-competitive schedule and thus abolish all examinations, and no one can complain till the classification itself is attacked by some proceeding to set it aside. We are not told how or by whom this executive act, abolishing examinations, may be set aside, though mandamus or certiorari are both hinted at as remedies.

The classification in this case was made about thirteen years ago, and it is too plain for argument that mandamus will not lie to compel the mayor to change it or make it in some other way. It is elementary law that, while mandamus will lie to

compel a public officer to act who refuses to move at all, it will not lie to compel him to act in some particular way. An erroneous classification, once made, cannot be corrected by mandamus, so, the suggestion of any relief from such a source may be dismissed. (*People v. Chapin*, 103 N. Y. 635; *People v. Chapin*, 104 N. Y. 95; *People v. Fairchild*, 67 N. Y. 334).

It is equally clear that certiorari will not lie. That writ must be brought within four months from the time of the classification, and, therefore, the right of review in that form expired more than twelve years ago, if it ever existed. (Code, § 2125).

But it is obvious that the right to review by means of that writ does not exist at all, and never did exist. The writ of certiorari is now governed and regulated by section twenty-one hundred and twenty, chapter sixteen, article seven, of the Code, and it is only necessary to read the statute in order to see that it has no application to the acts of the Governor or mayor under the civil service law. Official acts that are executive, legislative or administrative in their nature and character were never subject to review by certiorari. That a classification made by the executive under the civil service law is such an act, and, therefore, not subject to such review, is indisputable. (*People v. Board of Health*, 140 N. Y. 1; *People v. Supervisors*, 131 N. Y. 468; *People v. Park Commissioners*, 97 N. Y. 37; *People v. Walter*, 68 N. Y. 403; *People v. Betts*, 55 N. Y. 600.)

Indeed, the decision, when followed to all its logical consequences, practically abrogates both the Constitution and the statute, since it makes the will of the executive the supreme law.

It is certainly a radical new departure in this class of actions to turn the plaintiffs out of court who, as taxpayers, are seeking to restrain the operation of official acts, conceded to be illegal, upon the theory that they should have resorted to such fanciful and impossible remedies.

The judgment should be affirmed.

Bartlett, Martin and Vann, JJ., concur with Haight, J., for reversal; Gray, J., reads for modification, and Andrews, Ch. J., concurs; O'Brien, J., reads for affirmance.

Judgment reversed and complaint dismissed.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* WILLIAM H. HANNAN, *Respondent*, v. THE BOARD OF HEALTH OF THE CITY OF TROY AND OTHERS, *Appellants*.

Appellate Division, Third Department, March Term, 1897.

(15 App. Div. 272.)

CIVIL SERVICE.—Discharge of a veteran as registrar of vital statistics—it must be upon notice and a hearing—that he had not passed a civil service examination when appointed is immaterial.

Since the passage of chapter 821 of the Laws of 1896, forbidding the removal of a veteran, except "for incompetency or misconduct shown after a hearing upon due notice upon the charge made," the board of health of the city of Troy cannot remove, without notice, a veteran appointed to the position of registrar of vital statistics, under the authority of section 8 of chapter 270 of the Laws of 1885, notwithstanding the fact that the veteran, at the time of his employment in 1888, had never passed the examination required by the statutes regulating the Civil Service of the state. (Chap. 354 of the Laws of 1883, as amended by chap. 410 of the Laws of 1884.)

In such a case if it be charged that the appointee was disqualified by law, when appointed, because he had not passed the Civil Service examination, the act of 1896 required that notice be given to him to enable him to meet that specific charge.

Appeal by the defendants, The Board of Health of the City of Troy and others, from an order of the Supreme Court, made at the Albany special term and entered in the office of the clerk of the county of Rensselaer on the 25th day of August, 1896, granting a peremptory writ of mandamus requiring the defendants to reinstate the plaintiff in the position of registrar of vital statistics to the board of health of the city of Troy.

William J. Roche, for the appellants.

Thomas S. Fagan, for the respondent.

PARKER, P. J.: At the time of the employment of the relator by the board of health of the city of Troy the act of 1885 (Chapter 270) was in force and controlled the matter. By subdivision 5 of section 3 of that act, it is made the duty of the board "to supervise and make complete the registration of all births, marriages and deaths," etc. The act does not name or create any such officer as registrar, but subdivision 8 of section 3 thereof authorizes the board to "employ all such persons as shall be necessary to enable them to carry into effect the orders, * * * and the powers vested in them by this act, and to fix their compensation."

Such is the authority under which the relator was employed in April, 1888; and he continued to act under such employment until he was removed by the board on June 4, 1896.

Under such employment the board had authority to remove him at any time at its pleasure, unless, as an honorably discharged soldier, he was protected from such removal by some statute of the State. (People ex rel. Cline v. Robb, 126 N. Y. 180; People ex rel. Fonda v. Morton, 148 id. 156, 160.)

By chapter 821, Laws of 1896, it is provided, in substance, that "no person holding a position by appointment or employment in the State of New York or of the several cities * * * thereof, and receiving a salary or per diem pay from the State or from any of the several cities * * * who is an honorably discharged soldier * * * shall be removed from such position or employment, except for incompetency or misconduct shown, after a hearing upon due notice upon the charge made, and with the right to such employe or appointee to a review by writ of certiorari." And inasmuch as no notice whatever was given the relator of the intent to remove him, and no charges were made against him, he claims that his removal was an unlawful one under the provisions of this act.

To this claim the defendants reply that the relator is not within the protection of this act, because at the time of his employment he had never passed the examination required by the statutes regulating the civil service of the State (chapter 354, Laws of 1883, as amended by chapter 410, Laws of 1884), and that, therefore, his employment was unlawful. They contend that, inasmuch as this statute allows a removal only upon the ground of "incompetency or misconduct," it was not intended to apply to those who had entered into such employment in violation of law, and that, therefore, upon the record before us, it appearing that the relator was never lawfully employed, he cannot invoke such act as a protection against his removal. They argue that, if it is held otherwise, the operation of the act will be to legalize all unlawful appointments or employments of such soldiers, and to continue them in office so long as they are capable of performing its duties and are guilty of no misconduct in the performance thereof.

This claim on the part of the defendants cannot be sustained.

The history of the legislation designed to secure and preserve

to the honorably discharged soldier employment in the civil service of the State and of all the municipal divisions thereof, is clearly given in *People ex rel. Fallon v. Wright* (7 App. Div. 185).

In *People ex rel. Fonda v. Morton* (*supra*), it was held that under the act of 1894 (chapter 716), such a soldier could not be removed from his employment by the State officers, except for "incompetency and conduct inconsistent with his position;" but that the officers making the appointment or employment were the judges upon that question, subject only to any willful or preverse action, and that no notice of an intent to remove was required by that statute, and none was, therefore, necessary. Then followed the statute of 1896, above cited, which requires notice to be given and charges made. From all this legislation, the clear and determined intent is apparent to make secure to the veteran the position which, through either appointment or employment, he has once obtained, and that his removal can be justified only upon a case made, after he has had full opportunity to be heard.

The objection that he may in this way, be continued in a position unlawfully entered upon is in my opinion of little account. In the first place, it is not at all clear that the Legislature did not intend to continue in office or employment any such veteran so long as he is able to, and does, properly perform his duties, even though he had never passed the Civil Service examination; but if that be not so, the question of his competency would, I think, include the question of his legal qualification for the office or employment. The definition of "incompetency" includes "disqualification" as well as "inability" or "incapacity." (See Worcester's Dictionary, also Century Dictionary.)

Hence, if the appointing power desires to discharge an appointee on the ground that he was disqualified by law when appointed, the statute of 1896, above cited, requires it to give notice to the veteran so appointed, to meet that specific charge so made against him. I conclude, therefore that the question of the validity of the relator's employment is not one to be determined in this proceeding. The board had no right to remove him, without having given him a statement of the charges made against him, and a notice and oppor-

tunity to meet them. Hence his removal was illegal and the peremptory mandamus to restore him was properly granted.

The order appealed from should be affirmed, with costs.

All concurred.

Order affirmed, with ten dollars costs and disbursements.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* WILLIAM H. HANNAN, *Respondent*, *v.* THE BOARD OF HEALTH OF THE CITY OF TROY *et al.*, *Appellants*.

(153 N. Y., 112.)

1. CIVIL SERVICE — VETERANS — REMOVAL — L. 1896, CH. 821. — The words "holding a position," in the statute (L. 1896, ch. 821) which forbids the summary removal of a veteran holding a position in the service of the State or one of its political divisions, mean only a lawful, as contrasted with a *de facto* title, and do not cover a tenure by illegal appointment.
2. APPOINTMENT OF VETERAN WITHOUT CIVIL SERVICE EXAMINATION — REMOVAL. — The appointment of a veteran to a position subject to the Civil Service statute and rules (as was the position of registrar of vital statistics in the city of Troy in 1888), without his having passed the requisite examination, makes his appointment illegal, and renders him a *de facto* officer only, having no valid title to the position and hence not within the protection of the act of 1896 (ch. 821); and it is the duty of the appointing power, upon learning the facts, to dispense with his services and appoint a person possessing the qualifications required by law.
3. HEARING PRECEDENT TO REMOVAL — "INCOMPETENCY." — The word "incompetency," as used in the act of 1896 (ch. 821), which forbids the removal of a veteran holding a position in the service of the State or of one of its political divisions, "except for incompetency or misconduct shown, after a hearing upon due notice, upon the charge made," refers to the capacity of a legally appointed incumbent to fill the place, not to eligibility to appointment, and hence does not entitle a *de facto* officer to a hearing as to whether he had passed the required Civil Service examination.

People *ex rel.* Hannan *v.* Board of Health, 15 App. Div. 272, reversed.

(Argued June 22, 1897; decided October 5, 1897.)

Appeal from an order of the Appellate Division of the Supreme Court in the third judicial department affirming an order made by the court at Special Term.

William J. Roche for appellants.

Thomas S. Fagan for respondent.

VANN, J.: On the 20th of April, 1888, the board of health of the city of Troy, which was then organized pursuant to chapter 270 of the Laws of 1885, assumed to appoint the relator to the position of registrar of vital statistics in the place of Samuel E.

Hutton, who had resigned on the same day. At the time of such appointment the relator had not passed, nor so far as appears has he at any time since passed, the examination required by the statutes regulating the civil service of the State. (L. 1883, ch. 354; L. 1884, ch. 410.) He assumed the duties of the position and continued to discharge them until the 4th of June, 1896, when the new board of health, organized under chapter 661 of the Laws of 1893, without preferring charges or giving him an opportunity to be heard, dispensed with his services and in his place employed one Edward Bolton, who has ever since performed the same duties and has received the compensation allowed by law. The relator, who is an honorably discharged Union soldier, instituted this proceeding to compel the defendants, composing the board of health of the city of Troy, "to recognize and restore" him to said position upon the ground that said board had no power to discharge him until after a hearing upon due notice, founded upon a charge of misconduct or incompetency. No question is raised as to the regularity of the appointment of Mr. Bolton, who is not a party to the proceeding, provided there was a vacancy to be filled, and it is not denied that the defendants had authority to remove the relator at any time they saw fit, without hearing or notice, unless he was protected by some statute. (People ex rel. Griffin v. Lathrop, 142 N. Y. 113; People ex rel. Fonda v. Morton, 148 N. Y. 156.) He bases his claim to protection upon an amendment to the Civil Service Act passed in 1896, which, after giving preference "for appointment, employment and promotion" to "honorably discharged Union soldiers," provides that "no person holding a position by appointment or employment in the State of New York or of the several cities, counties, towns or villages thereof * * * who is an honorably discharged soldier, sailor or marine, having served as such in the Union army or navy during the war of the rebellion, and who shall not have served in the Confederate army or navy, shall be removed from such position or employment, except for incompetency or misconduct shown, after a hearing upon due notice, upon the charge made." (L. 1896, ch. 821; L. 1894, ch.

716; L. 1884, ch. 312.) If, therefore, the relator held the position in question within the meaning of this statute, the action of the defendants in removing him without an opportunity to be heard was unauthorized, and he is entitled to relief. If, however, the words "holding a position," as used in the act, means only a lawful, as contrasted with a *de facto* title, the statute has no application and affords no protection to the relator. When the Legislature forbade the summary removal from office or employment of a veteran of the late war holding a position in the State, or one of its political divisions, it did not refer to a usurper, or to one who simply had possession of an office without lawful authority, but to one who held his position according to law and by virtue of a valid appointment or employment. In a civilized community "holding a position" means lawfully holding it, and it would be unreasonable to declare that the Legislature meant by that expression to include those who held office by force, fraud, mistake, or without any right thereto. A statute should receive a sensible construction, in conformity to reason and justice, unless the language used is so clear and explicit as to prevent it. It is to be presumed that the Legislature did not intend to work public mischief, and when the words of a statute admit of two constructions, one of which is just and reasonable and the other not, the former will be preferred. (Smith v. People, 47 N. Y. 330; Rosenplaenter v. Roessle, 54 N. Y. 262; Penoyer v. Kelsey, 150 N. Y. 77, 83.) We do not think it was the intention of the act to legalize illegal appointments throughout the State, even if the appointees were veterans, as that would not only be unjust to worthy veterans who had duly qualified for appointment by passing the civil service examination, but also might lead to serious public inconvenience. (L. 1886, ch. 29, § 2.) Both the title and the text of the statute, as amended at different times, indicate an intention to retain in the public service qualified and legally appointed soldiers of the late war, subject to removal only "for incompetency or misconduct shown." (L. 1884, ch. 312; L. 1887, ch. 464; L. 1894, ch. 716; L. 1896, ch. 821.) The words "incompetency," "removed" and "appointment," as used

in the act relied upon by the respondent, in the absence of anything to indicate a different intention, imply a legal appointment, and if the Legislature had intended to make valid all invalid appointments the presumption is that it would have issued its command upon so important a subject in clear and express terms. The object of the act was to protect those lawfully appointed or employed from removal without a chance to be heard. As the position in question was subject to the civil service statute and rules, the failure of the relator to pass the examination required made his appointment illegal, for it was expressly prohibited by the act "to regulate and improve the civil service of the State," as at different times amended. (L. 1883, ch. 354, § 8; L. 1884, ch. 410, § 2; *Peck v. Belknap*, 130 N. Y. 394, 399.) He was, therefore, an officer *de facto* only, and, while his acts were binding upon the public, he had no title to the position, and it was the duty of the defendants upon learning the facts to dispense with his services and appoint a person who possessed the qualifications required by law. The learned Appellate Division affirmed the order granting a peremptory writ of mandamus against the defendants mainly upon the ground that the relator was entitled to notice and a hearing as to whether he had passed the civil service examination, or, in other words, whether his appointment was valid when made. If this position is sound it must be because some statute so provides, expressly or impliedly, for otherwise there can be no restriction upon the power of an appointing board to dispense with the services of one who has no right to the position. In such a case there is no removal from office, because there is no one lawfully in the office. A *de facto* officer is merely an intruder, so far as the power to fill the position by appointment is concerned. He is entitled to no notice from the appointing power, and it is his duty to yield immediate possession to its appointee. The only statute that is claimed by the courts below or by the respondent to require notice and a hearing in the case of a *de facto* officer is the one quoted above. Founded upon that statute, the argument is made that "incompetency," as there used, includes the question of legal qualifica-

tion at the date of appointment, and hence involves the inquiry whether the occupant of the office had passed the civil service examination required by law. We think, however, that this construction gives the word too broad a meaning, for as we read the section, it simply provides for the case of an officer lawfully appointed, who proved unable to discharge the duties of the position through want of skill, knowledge, ability, or some requisite of that kind, or was guilty of misconduct. "Incompetency" assumes the existence of a legal relation between the appointee and the office. When the original act is read in connection with the various amendments, it is clear that the word refers to capacity to fill the place, not eligibility to appointment. For instance, the amendment of 1884 provides that veterans shall be preferred for appointment to positions in the public service and that they shall not be disqualified from holding any position therein on account of age, or by reason of any physical disability, provided it does not render them incompetent to perform the duties. (L. 1884, ch. 410, § 4; L. 1895, ch. 344, § 1.) This and other sections that might be quoted show that the Legislature meant by "incompetency" the want of ability or fitness, as a matter of fact, and not eligibility or status as matter of law. The requirement that charges are to be preferred indicates an intention to cover conditions existing after a legal appointment has been made and not to secure a tenure of office or employment where the appointment was in violation of law. The object of the amendment of 1896 was to remedy a defect that was pointed out in *People ex rel. Fonda v. Morton* (148 N. Y. 156), where it was held that the amendment of 1894 making veteran incumbents irremovable except "for incompetency and conduct inconsistent with the position held" did not require notice of an opportunity to be heard before the power of removal was exercised. That decision was handed down in January, 1896, and in May following the Legislature further amended the act so as to provide for notice and a hearing upon charges made. We think that there was no intention to legalize invalid appointments, or to give a right to be heard as to the validity of the appointment when made, but

simply to guard the veteran soldier against removal from a position lawfully held by him, until he has had notice of an accusation against him and the right to make a defense. These views find support in that line of authorities which hold that statutes prohibiting the removal of an officer until written charges have been made against him do not apply to the case of one who was ineligible when he was appointed. In *People ex rel. Kopp v. French* (102 N. Y. 583, 585), Judge Earl said: "Kopp was not legally a member of the police force. He was ineligible; the police commissioners had no right under the statute to appoint him; and when it came to their knowledge that he had been convicted of a crime, and, was therefore, ineligible to the office, they had the right summarily to vacate his appointment, discharge him from the police force, and refuse longer to recognize him as a member thereof." In *People ex rel. Kruschinsky v. Martin* (36 N. Y. Suppl. 851, 853), the court said: "The provisions of the law requiring the formulation of written charges and service of the same could only apply to one who had been legally constituted a member of the force. As against the relator such a course was unnecessary for the reason that the proceedings of the board of police were in the nature of an investigation to ascertain whether or not he was legally a member of the force. * * * The relator never was legally a member of the force because, being appointed in violation of the civil service laws, his appointment was void *ab initio* and conferred no rights upon the appointee." (See, also, *People ex rel. McTigue v. Manning*, 42 N. Y. St. Rep. 81; *Flatan v. State*, 56 Tex. 93; *Lyons v. Common council of Gloucester*, 49 N. J. L. 177.)

For these reasons we feel that it is our duty to reverse the order appealed from and to dismiss the proceeding, with costs.

All concur, except Gray, J., absent, and Bartlett, J., not voting.
Order reversed.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* ROBERT CRUMMEY, *Respondent*, *v.* GEORGE W. PALMER, AS COMPTROLLER OF THE CITY OF BROOKLYN, *Appellant*.

Appellate Division, Second Department, October Term, 1896.

(9 App. Div. 58.)

Assistant warrant clerk in the office of the comptroller of the city of Brooklyn is not a confidential employee—decision by the civil service commissioners that he is, is not binding upon the court—evidence as to employment, and as to statements of the comptroller.

The return to an alternative writ of mandamus, issued for the purpose of compelling the reinstatement of the relator, a veteran fireman, who had been removed from his position as assistant warrant clerk in the office of the comptroller of the city of Brooklyn, without cause shown or a hearing had, set up that the respondent, the comptroller, had, prior to the service of the writ, no knowledge that the relator was, or claimed to be, a veteran fireman, and that the position was a confidential one.

Upon the trial the court held that the position was not a confidential one, and submitted to the jury the question whether the relator had waived any of his privileges under the Veteran Act (chapter 577 of the Laws of 1892), by any action or want of action on his part. The jury rendered a verdict in favor of the relator and also assessed his damages.

Held, that no error was committed;

That the position was not one in which the relator bore a confidential relation to the comptroller;

That any conclusion of the civil service commissioners that he did, would not be binding upon the court in its construction of the Veteran Act (Chap. 577 of the Laws of 1892);

That, as the trial judge had held that it was the relator's duty to get work if he could, the respondent could not complain that the relator had been permitted to prove that he had not had any employment since his discharge;

That questions put to the comptroller, on cross-examination, as to what he had said as to veteran firemen generally, were permissible within the discretion of the court.

Appeal by the defendant, George W. Palmer, as comptroller of the city of Brooklyn, from an order of the Supreme Court, made at the Kings County Special Term, and entered in the office of the clerk of the county of Kings on the 6th day of March, 1896, directing the issuance of a peremptory writ of mandamus commanding him to restore and reinstate the relator to and in the position and clerkship previously held by him in the office of the comptroller of the city of Brooklyn, and also from an order, entered in said clerk's office on the 6th day of March, 1896, denying the defendant's motion for a new trial made upon the minutes.

Alfred E. Mudge, assistant corporation counsel, and Samuel T. Maddox, for the appellant.

James C. Cropsey, for the respondent.

PER CURIAM: In January, 1895, the relator, who was a veteran fireman, held the position of assistant warrant clerk in the office of the comptroller of the city of Brooklyn. He was removed from

that position by the comptroller without any cause shown or hearing had, and to procure his reinstatement he instituted this mandamus proceeding. An alternative writ was granted, to which a return was made setting up, by way of defense, that the comptroller, prior to the service of the papers herein, had no knowledge whatever that the relator was, or claimed to be, a veteran fireman or entitled to any privileges under chapter 577 of the Laws of 1892; and, furthermore, that the relator's position bore a confidential relation to the appointing officer, and was, therefore, excepted from the operation of that statute.

When the issues thus joined came on to be tried, the justice who presided at the trial held, as a matter of law, that the relator did not occupy any confidential relation to the comptroller, but the court submitted to the jury the question whether he had waived any of his rights and privileges, under chapter 577 of the Laws of 1892, by any action, or want of action, on his part. This question the jury answered in the negative. They also assessed the relator's damages, under section 2088 of the Code of Civil Procedure, in the sum of \$1,375. From the final order entered upon this verdict, as well as from an order denying his motion for a new trial, the comptroller now appeals.

In our opinion the proceedings have been regular and without substantial error, and the orders made below must be affirmed.

The position occupied by the relator was not a confidential relation to the appointing officer. (*People ex rel. Drake v Sutton*, 88 Hun, 173.)

The rulings of the court upon the trial were correct.

The failure to serve notice to produce the papers which the relator claimed to have mailed to the comptroller in regard to his service as a fireman, and whose contents he was allowed to prove, was of no importance in view of the comptroller's denial that he had ever received such papers.

The proof that the relator had not had any employment since his discharge was beneficial, rather than injurious to the comptroller on the question of damages, since the learned trial judge held that it was the relator's duty to get work if he could.

The questions put to the comptroller on cross examination, as to what he had said in reference to veteran firemen generally, were permissible within the discretion of the court.

The exclusion of the Civil Service Regulations was not error. Even though the Civil Service Commissioners of the city of Brooklyn deemed the relator's position to be a confidential one, for the purpose of classifying positions in the municipal service, we do not think their conclusion in this respect would be binding upon the court in the construction or application of the Veteran Act, whose protection was invoked by the relator in this proceeding.

The advice which the comptroller received from counsel, as to his power to remove veteran firemen generally, was immaterial and was properly excluded. It did not apply to the case of the relator. The comptroller himself could hardly have deemed the relator's position to be confidential, for he testified upon cross-examination: "If I had known that Crummey was a veteran fireman I would not have dismissed him; I would have retained him, because I believe I would have no right to dismiss him."

Ample authority for allowing the jury to assess the damages sustained by the relator is found in the provisions of section 2088 of the Code of Civil Procedure.

The orders appealed from must be affirmed, with costs.

All concurred.

Judgment and orders affirmed, with costs.

THE PEOPLE OF THE STATE OF NEW YORK EX REL. ROBERT CRUMMEY, *Respondent*, v. GEORGE W. PALMER, AS COMPTROLLER OF THE CITY OF BROOKLYN, *Appellant*.

(152 N. Y. 217.)

1. MUNICIPAL EMPLOYMENT—CONFIDENTIAL RELATION.—A confidential relation, between an appointing officer and his subordinate, exists within the meaning of Laws of 1888, chapter 119, section 1, as amended by chapter 577, Laws of 1892, when an officer, upon whom the statute casts a duty involving skill and integrity, and a liability either personal or on the part of the municipality which he represents, intrusts the discharge of the duty to the subordinate.

ASSISTANT WARRANT CLERK TO THE COMPTROLLER OF THE CITY OF BROOKLYN—CONFIDENTIAL RELATION.—An assistant warrant clerk in the office of the comptroller of the city of Brooklyn, by reason of the fact that a greater portion of the duties devolving upon his position involve skill and integrity, which duties, if carelessly or negligently performed, might result in great loss to the comptroller or the city, holds a confidential relation to his superior officer within the meaning of Laws of 1888, chapter 119, section 1, as amended by chapter 577, Laws of 1892, and may be discharged without cause shewn.

People ex rel. Crummey v. Palmer, 9 App. Div. 58, reversed.

(Argued March 1, 1897; decided March 9, 1897.)

Appeal by the defendant, individually and as comptroller of the city of Brooklyn, from an order of the Appellate Division of the Supreme Court in the second judicial department, entered October 19, 1896, which affirmed an order and judgment awarding a peremptory mandamus in favor of the relator, the nature of which and the facts relating thereto stated in the opinion.

B. F. Tracy for appellant, individually. The action of the comptroller in removing the relator was legal because the relator fell within the classes expressly accepted by the statute. (L. 1888, ch. 583; People ex rel. v. Armbruster, 59 Hun, 586; People ex rel. v. Baker, 68 N. Y. S. R. 5; In re Ostrander, 12 Misc. Rep. 476.) The proof offered to show that the comptroller had constructive notice of the relator's exemption, taken under objection and exception, was inadmissible. (People v. Wallace, 55 Hun, 149; Denton v. O. C. Nat. Bank, 150 N. Y. 137; Field v. Mayor of N. Y., 6 N. Y., 179; Constant v. University of Rochester, 111 N. Y. 604; W. Nat. Bank v. Irons, 8 Fed. Rep. 1; Slattery v. Schwannecke, 118 N. Y. 543.) The relator's claim for a writ of mandamus is barred by his *laches*. (People ex rel. v. Justices, etc., 78 Hun, 334; People ex rel. v. Collis, 6 App. Div. 468.) This proceeding having been brought against the comptroller in

his official capacity, the court has no jurisdiction to award damages against him individually. (Code Civ. Pro., Section 2088.) The relator cannot recover damages against Mr. Palmer either in this or any other proceeding. If the relator was illegally removed, his back salary is an obligation of the city of Brooklyn, for which it alone is liable. (*Fitzsimmons v. City of Brooklyn*, 102 N. Y. 536; *People ex rel. v. Police Comrs.*, 114 N. Y. 245.)

Joseph A. Burr for appellant, as comptroller of the city of Brooklyn. The relator held a confidential relation to his appointing officer (the comptroller) and was not, therefore, protected by the provisions of chapter 577 of the Laws of 1892. (L. 1888, ch. 583; *People ex rel. v. Baker*, 68 N. Y. S. R. 5; *People ex rel. v. Armbruster*, 59 Hun, 586.)

Charles J. Patterson for respondent. The duties performed by the relator were in no sense confidential to the appointing power. They consisted merely in the performance of public business with the public, and involved no personal relations between the comptroller and Crummey. (*People ex rel. v. O'Brien*, 9 App. Div. 428; L. 1888, ch. 583, sections 12, 26; *Walsh v. Trustees N. Y. & B. Bridge*, 96 N. Y. 436; *Hannon v. Agnew*, 96 N. Y. 439; *Donovan v. McAlpin*, 85 N. Y. 185; *Murphy v. Com.*, etc., 28 N. Y. 134; *People ex rel. v. Wright*, 150 N. Y. 444; *People ex rel. v. Sutton*, 88 Hun, 173; *People ex rel. v. Barker*, 14 Misc. Rep. 360.) The defendant, Palmer, is personally liable in damages under this proceeding. (*Higgins v. Mayor*, etc., 131 N. Y. 128; *Terhune v. Mayor*, etc., 88 N. Y. 247; *Dolan v. Mayor*, etc., 68 N. Y. 274; *McVeany v. Mayor*, etc., 80 N. Y. 185.)

HAIGHT, J.: Robert Crummey, the relator, was a member of the volunteer fire department of the city of Brooklyn, and as such had served the time required by law, and had received his discharge. In May, 1886, he was appointed to the position of assistant warrant clerk in the office of the comptroller of the city, and continued in that position until the 30th day of January, 1895, at which time he was discharged by the comptroller. On the 19th day of July, 1895, he instituted proceedings for a mandamus to compel his reinstatement. An alternative writ was

issued, upon which issue was joined, which was tried before a judge and jury and resulted in a verdict in favor of the relator. Upon the verdict so rendered a peremptory writ of mandamus was issued which has been affirmed by the Appellate Division. Upon the trial before the jury the judge charged, as a matter of law, that the relator did not occupy a confidential relation to the appointing officer within the meaning of the statute. To this charge an exception was taken by the appellant. The statute provides that "no person holding a position by appointment in any city or county of this State or who may hereafter be appointed, receiving a salary from such city or county (unless he has been appointed for a definite term), who is an honorably discharged soldier, sailor or marine, having served as such in the Union army or navy during the war of the rebellion, or the Mexican war, and who shall not have served in the Confederate army or navy, or who shall have served the time required by law in the volunteer fire department of any city, town or village in the State, or who shall have been a member thereof at the time of the disbandment of said volunteer department, shall be removed from such position, except for cause shown, after a hearing had; but this provision shall not be construed to apply to the position of private secretary or chief clerk or deputy of any official or department, or to any other person holding a confidential relation to the appointing officer." (Laws of 1888, ch. 119, section 1, as amended by ch. 577, Laws of 1892.)

What is a "confidential relation" to the appointing officer? A complete definition may be difficult. We shall only attempt one in general terms. The meaning of "confidential" has two elements, that of secrecy and that of trust and confidence. Confidential relation, in law, as defined by the Century Dictionary, is a relation of parties in which one is bound to act for the benefit of the other, and can take no advantage to himself from his acts relating to the interest of the other. Such a relation arises whenever a continuous trust is reposed by one person in the skill or integrity of another. The statute which we have under consideration has reference to officials, and the confidential rela-

tions mentioned undoubtedly have reference to official acts, and include not only those that are secret, but those that involve trust and confidence which are personal to the appointing officer. If, therefore, the statute casts upon an officer a duty involving skill or integrity, and a liability either personal or on the part of the municipality which he represents, and he intrusts the discharge of this duty to another, their relations become confidential.

It appears that the defendant became comptroller of the city of Brooklyn on the first day of January, 1895; that as such he became the chief financial officer of the city, charged with the duty of keeping the accounts of its receipts and disbursements and the paying of the demands upon it by warrants drawn upon the treasurer; that the annual expenditures amounted to from ten to thirteen millions of dollars, which, in the year 1895, were paid out upon 46,000 warrants; as comptroller he was also a member of the board of estimate, which occupies nearly a month each year in making up the budget; he was also a member of the sinking fund commission, which has meetings on an average of once a week during the year, and a member of three other commissions, which held occasional meetings. The duties of his position were of such a character that it was impossible for him to personally discharge them, and he of necessity was compelled to intrust the performance of them largely to subordinates.

The relator's duties consisted in taking care of the bills and vouchers as they came in, filing them away, of getting them out and exhibiting them when called for, and seeing that the papers and boxes were kept in their places. In case of the sickness or absence of the warrant clerk he filled out the warrants for the payment of bills, and, after they were signed by the proper officers, the warrants were returned to him. He then examined the bills to see if they were properly made out and verified, whether they were properly audited and certified, and, if correct, he delivered the warrants to the persons entitled thereto, first requiring them to be identified, if they were not personally known to him. In addition to this he was charged with the duty of keeping track of the liens filed and of the executions and attach-

ments levied upon claims in the office and of examining the same before delivering warrants to claimants.

It will be thus seen that the greater portion of the duties devolving upon the relator's position involved skill and integrity, and if the duties were carelessly or negligently performed, it might result in great loss either to the comptroller or the city. It is said that the defendant could not be held responsible for the misfeasance or nonfeasance of the relator. Chapter 583 of the Laws of 1888, title 3, section 12, so provides as to third parties. The act does not purport to relieve the defendant, so far as the city is concerned, as to losses or liabilities incurred through his or his subordinates' misconduct or negligence in the discharge of the duties of his office; as a faithful officer he would be interested in protecting the interests of the city and in the saving of it, as well as himself, from responsibility. It appears to us that the position is one requiring trust and confidence, and that it is, within the provision of the statute, a confidential relation to the appointing officer. In the Matter of Ostrander, for a writ of mandamus (12 Misc. Rep. 476), the applicant sought the position of deputy superintendent of public buildings; the mandamus was asked for under the provisions of chapter 716 of the Laws of 1894, which provide as follows: "But the provisions of this act shall not be construed to apply to the position of private secretary or deputy of any official or department, or to any other person holding a strictly confidential position." It was held at Special Term that the position was confidential, and that case was affirmed in the General Term and by this court upon the opinion of the Special Term. (146 N. Y. 404.)

It is claimed that under the classification of officers by the Civil Service Commission the relator was placed in Schedule A, in the class of those occupying confidential relations with the appointing officer; that under the statute the Civil Service Commission is required to classify the employes in the public offices, and that this classification has the force and effect of a statute; and that the provisions of this act should be construed in accordance therewith. Under the construction of the provisions of the act above

given, a determination of this question is at this time unnecessary.

The judgment and order should be reversed and the motion for a mandamus denied.

All concur except O'Brien and Vann, JJ., dissenting.

Judgment accordingly.

SIMEON B. CHITTENDEN *et al.*, Respondents, v. FREDERICK W. WURSTER, AS MAYOR OF THE CITY OF BROOKLYN, *et al.*, Appellants.

(153 N. Y. 664.)

(Submitted May 13, 1897; decided June 8, 1897.)

Motion for a reargument. (See 152 N. Y. 345.)

Edward M. Shepard, J. Warren Greene and Henry Yonge for motion.

Joseph A. Burr, opposed.

HAIGHT, J.: It is claimed that the court, in the disposition of this case, overlooked important questions, misapprehended the position of counsel and fell into error with reference to the provisions of the statute.

In the opinion we stated that "Under the provisions of this statute it was made the duty of the mayor of the city of Brooklyn to arrange in classes all clerks and persons employed in the public service of the city, and to include in one or more of such classes, so far as practicable for the purposes of competitive examination, all the subordinate clerks and officers in the public service of the city." It is now said by council with reference to this statement that "The only requirement that the mayor should classify is contained in section 8 of the Civil Service Act. That section requires him to prescribe regulations which shall, according to section 8, provide and declare as in the second subdivision of the second section of this act is provided and declared in reference to regulations for admission to the civil service of the State. That subdivision provided for open and competitive examination, but only as nearly as the conditions of good administration will warrant." Counsel are mistaken in saying that the subdivision provided for open and competitive

examination, but only as nearly as the conditions of good administration will warrant. This was the only requirement of the original statute of 1883, but under chapter 410 of the Laws of 1884, section eight was amended, and our statement was taken from the amended provision which was in force at the time the opinion was written. We will quote the part alluded to again: "Within two months after the passage of this act it shall be the duty of each of said mayors in and by such regulations to cause to be arranged in classes the several clerks and persons employed or being in the public service of the city of which he is mayor, and he shall include in one or more of such classes, so far as practicable for the purposes of the examination herein provided for, all subordinate clerks and officers in the public service of the said city to whom his power under this act extends." Here we have a mandatory provision, he shall include so far as practicable, etc. This is a requirement in addition to the provision "as nearly as the conditions of good administration will warrant." To our minds it not only effectually disposes of the contention that Mayor Low did not make his classification for a competitive examination so far as practicable, but justifies our conclusion that the Constitution was intended to be in harmony with the statute. This provision of the statute was approved on the 29th day of May, 1884. On the 15th day of August thereafter the mayor proceeded to make his rules and regulations in accordance with its provisions, specifically referring to it, saying: "In pursuance of the eighth section of chapter 354 of the Laws of 1883 as amended by chapters 357 and 410 of the Laws of 1884, I, Seth Low, mayor of the city of Brooklyn, hereby prescribe the following regulations for the admission of persons into the civil service of the city of Brooklyn," etc. He was then the mayor of Brooklyn and sworn to faithfully discharge the duties of his office. The statute commanded him to classify for a competitive examination so far as practicable, and until it is otherwise made to appear the law will presume that he has discharged his duty.

The other questions do not require further consideration.

The motion for reargument should be denied.

All concur, except O'Brien J., not voting.

Motion denied.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* JOHN J. FALLON,
Relator, v. ROBERT J. WRIGHT, COMMISSIONER OF CORRECTIONS
OF THE CITY AND COUNTY OF NEW YORK, Respondent.

Appellate Division, First Department, June Term, 1896.

(7 App. Div. 185.)

DEPARTMENT OF CORRECTIONS OF NEW YORK CITY.—Removal of the warden, a veteran — what does not constitute incompetency or misconduct on his part — status of veterans — the accused may cross-examine witnesses — may show that a prisoner was suffering from a disease and not from cruel treatment.

John J. Fallon was charged with violating a rule of the prison of the city of New York, of which he was a warden, by admitting to the prison, without having searched him, C. W. Mullen, who visited a prisoner then under conviction. Fallon was also charged with disobedience of orders and with cruel and inhuman treatment of prisoners, in that on January 2, 1896, he ordered another prisoner, named Herman, to undergo solitary confinement and kept him without food until January 4, 1896, and further, that, in disregard of an order, he had removed this prisoner from the cell formerly occupied by him, to which he had been ordered to be returned by due authority.

As matter of defense, it was shown that the relator was an honorably discharged soldier, and he stated that Mullen, who visited the prisoner, had done so to render him spiritual and religious advice and consolation, and that a custom justifying the admission of such persons without search had prevailed in the prison for more than twenty years. He also stated that Herman was ordered to solitary confinement because he had used grossly abusive and improper language to the warden, and that he was not wholly deprived of food, but only of that part which consisted of the meat and fish preparations for dinner; that Herman after his solitary confinement, was not returned to the cell which he had formerly occupied, and that this was done and he was placed in another and equally good cell, simply as a measure of prudence to avoid the possibility of insubordinate conduct likely to arise from communication between Herman and the neighboring prisoners.

Held, that the legislation of the State had steadily and consistently protected veterans, providing that they should not be removed from public positions except for incompetency and conduct inconsistent with the positions held by them, and that the burden of proving such incompetency and inconsistent conduct was, by statute, imposed upon their accuser;

That the charges in this case were trivial and did not show incompetency or conduct on the part of Fallon inconsistent with his position;

That Fallon, upon the hearing upon such a charge, was entitled to cross-examine adverse witnesses fully and without undue restraint;

That Fallon was entitled, on such cross-examination, to prove that Herman had been convicted of crime before, and that he might also show that he had had a disease whose results, and not the deprivation of food, had produced the symptoms of which he complained while he was kept in solitary confinement.

Certiorari issued out of the Supreme Court and attested on the 13th day of February, 1896, directed to Robert J. Wright, commissioner of corrections of the city and county of New York, commanding him to certify and return to the office of the clerk of the county of New York all and singular his proceedings relating to the removal of the relator from his office of warden of the city prison of the city of New York.

Charles J. Patterson, for the relator.

William L. Turner, for the respondent

BARRETT, J.: The relator is an honorably discharged soldier, who served as such in the Union army during the war of the rebellion. His certificate of discharge informs us that his character was good; that he took part in seven important engagements, and that he served with his battery at the siege of Petersburg, Virginia, from the 7th of July to the 23d of August, 1864.

As such a veteran, the relator could be removed only for incompetency and conduct inconsistent with his position, after a hearing had. The Legislature has steadily and consistently provided for and protected veterans of the late war. In 1884 it was provided that they should be preferred for appointment in every public department and for employment upon all public works of the State. (Laws of 1884, chap. 312.)

In 1886 the provision was in grateful recognition (so reads the act) of their services, sacrifices and sufferings extended so as to embrace such preferences even though the veteran should be graded lower than others in Civil Service examinations. (Laws of 1886, chap. 29, section 1.) In 1887 it was still further extended so as to embrace all the cities, towns and villages of the State; and failure to comply with the legislative will both in its letter and spirit was made a misdemeanor. (Laws of 1887, chap. 464.) In 1888 provision was made for the permanent retention in office—during good behavior—of these honored servants. It was expressly provided that they should not be removed “except for cause shown after a hearing had.” (Laws of 1888, chap. 119.) This was reaffirmed in 1890, and extended so as to cover veterans of the Mexican war and others. (Laws of 1890, chap. 67.) It was further extended in 1892. (Laws of 1892, chap. 577.) Finally, in 1894, what alone should be deemed “cause” for removal was clearly defined. The language of the act is explicit, that in all such cases “the person having the power of employment or appointment, unless the statute provides for a definite term, should have the power of removal only for incompetency and conduct inconsistent with the position held by the employe or appointee.” (Laws of 1894, chap. 716, section 1.) The intention jealously to guard the veteran’s rights in this respect is further evidenced

by the unusual and striking provisions that "in case of such removal * * * for partisan, political, personal or other cause, except incompetency and conduct inconsistent with the position so held, such soldier * * * so wrongfully removed * * * shall have a right of action in any court of competent jurisdiction for damages as for an act wrongfully done, in addition to the existing right of mandamus; the burden of proving such incompetency and inconsistent conduct, as a question of fact, shall be upon the defendant."

Thus, every intendment is substantially declared to be against the legality of the removal. The veteran, in such an action, may rest upon proof of the deprivation of his office. The statute makes the act of deprivation *prima facie* illegal and throws upon the removing official the burden of defending his act and of convincing a jury that the veteran was incompetent and guilty of conduct inconsistent with his position.

It is quite clear, therefore, in view of the course and spirit of legislation upon this subject, that the relator was entitled at least to a fair and impartial trial upon specific charges of incompetency and conduct inconsistent with his position. He was equally entitled to cross-examine the witnesses produced in support of the charges, and to so cross-examine them fully, adequately and without illegal or undue restraint.

The respondent's power, as was said in *The People ex rel. The Mayor v. Nichols* (79 N. Y. 588), was: "Not an arbitrary one, to be exercised at pleasure, but only upon just and reasonable grounds," a doctrine which was quoted with approval and reaffirmed in *People ex rel. Burnham v. Jones* (112 N. Y. 597).

A fortiori, should the rules laid down in these cases be applied to the attempted removal of those public servants for whom the people, through their representatives, have evinced such tender consideration. "The proceeding," said Judge Danforth in the *Nichols* case, therefore, "must be instituted upon specific charges sufficient in their nature to warrant the removal, and then, unless admitted, be proven to be true. Defendant might also cross-examine the witnesses produced to support the charges, call oth-

ers in his defense, and in these and other steps in the proceedings be represented by counsel. In no other way could the person sought to be removed have a due hearing or an opportunity to be heard, and this condition must be complied with before the power of removal is exercised. * * * It follows, therefore, that the proceeding is judicial in its character, and, as a necessary consequence, is subject to review by a writ of certiorari issued by the Supreme Court in the exercise of its superintending power over inferior tribunals and persons exercising judicial functions."

These observations were made with regard to a hearing under statutory provisions infinitely less favorable to the accused official than those under consideration. They should not only be followed, but emphasized in a case where, should an action be brought, the burden of establishing the charges to the satisfaction of a jury is by the statute thrown upon the official who makes the removal.

The question then, is, has the relator been removed for sufficient cause after a fair and legal hearing?

We are all agreed that this question must be answered in the negative, so far as the first charge and specification are concerned.

* * * * *

Our conclusion upon the whole case is, first, that as a matter of fact none of the charges of incompetency and conduct inconsistent with the relator's position were sustained, and, second, that even if the charge of cruel and inhuman treatment had been *prima facie* made out, it was substantial error, going to the root of the commissioner's judgment, to rule out questions asked on a cross-examination tending to refute such charge and to show that the prisoner's sufferings, as detailed by him, and by him alone, proceeded from causes other than the discipline to which he had been subjected.

The determination of the commissioner should be annulled and the relator reinstated, with fifty dollars costs and disbursements.

Van Brunt, P. J., Rumsey, O'Brien and Ingraham, JJ., concurred.

Proceedings annulled and relator reinstated, with fifty dollars costs and disbursements.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* JOHN J. FALLON,
Respondent, v. ROBERT J. WRIGHT, AS COMMISSIONER OF COR-
RECTIONS OF THE CITY OF NEW YORK, *Appellant*.

1. **VETERANS—REMOVAL FROM CITY APPOINTIVE POSITION—RIGHT TO HEARING—LAWS OF 1892, CHAP. 577.**—The statute (Laws of 1892, chap. 577), which confers upon veterans holding a position by appointment in any city or county, and receiving a salary from such city or county, the right to a hearing before removal is not rendered inapplicable merely because the incumbent may be performing duties of a public character, as distinguished from those merely private, and his acts of negligence or misconduct may not be imputable to the city or county.
2. **NEW YORK CITY—WARDEN OF CITY PRISON.**—Chapter 577, Laws of 1892, applies to a veteran holding the appointive position of warden of the city prison in the city of New York, and entitles him to a hearing before removal by the commissioner of corrections of that city.

People *ex rel.* Fallon v. Wright, 7 App. Div. 185, affirmed.

(Argued October 5, 1896; decided October 20, 1896.)

Appeal from order of the Appellate Division of the Supreme Court in the first judicial department, entered July 7, 1896, which reversed on certiorari a determination of Robert J. Wright, as commissioner of corrections of the city and county of New York, removing the relator, a veteran of the late war, from the office of warden of the city prison, upon the grounds of incompetency and misconduct, on charges: 1. Violation of rules; 2. Disobedience of orders and cruel and inhuman treatment of prisoners; and ordered the reinstatement of relator, upon the grounds, first, that as a matter of fact none of the charges of incompetency and conduct inconsistent with the relator's position were sustained; and, second, that even if the charge of cruel and inhuman treatment had been, *prima facie*, made out, it was substantial error, going to the root of the commissioner's judgment, to rule out cross-examination tending to refute such charge, and to show that the prisoner's sufferings, as detailed by him, and by him alone, proceeded from causes other than the discipline to which he had been subjected.

William L. Turner for appellant. The relator being neither a city nor county officer, but an officer of the State, was not entitled to a hearing under the statutes securing to veterans a qualified tenure of office, and the court below, being bound by the allegation in the return of the relator's incompetency and inconsistent conduct, had no jurisdiction to reverse the commissioner's action nor to order reinstatement. (Laws of 1892, chap. 577; Laws of 1894, chap. 716; *People ex rel. v. Morton*, 148 N. Y. 156; Laws of 1888, chap. 119, § 1; *McDonald v. Mayor, etc.*, 32 N. Y. Supp. 280; *Maxmilian v. Mayor, etc.*, 62 N. Y. 160; Laws of 1895, chap. 912, § 5; Laws of 1896, chap. 821.) The reversal by the court below upon the facts as found by the commissioner was so clearly against the preponderance of proof that, assuming its jurisdiction, a question of law is presented upon the record for review by this court. (Code Civ. Pro. § 2140; *People ex rel. v. Fire Comrs.*, 106 N. Y. 264; *People ex rel. v. Martin*, 142 N. Y. 352; *Hudson v. R., W. & O. R. R. Co.*, 145 N. Y. 408; *In re Harriot*, 145 N. Y. 540; *Linkauf v. Lombard*, 137 N. Y. 417.)

Charles J. Patterson for respondent. The order of the Appellate Division is not reviewable in this court. (*People ex rel. v. Fire Comrs.*, 106 N. Y. 257; *People ex rel. v. French*, 123 N. Y. 636; *People ex rel. v. French*, 119 N. Y. 503; *Harris v. Burdett*, 73 N. Y. 136; *Pharis v. Gere*, 107 N. Y. 231; *People ex rel. Hogan v. French*, 119 N. Y. 493.) By chapter 577 of the Laws of 1892, the relator, a veteran, could not be removed except upon cause shown after a hearing had. The nature of the cause which must be shown to justify his removal, is fixed by chapter 716 of the Laws of 1894. It must be incompetency and conduct inconsistent with the position he holds. The evidence was entirely insufficient to establish that the relator had been guilty of any violation of the prison rules. (*In re Breslin*, 45 Hun, 210; *Delasfield v. Brady*, 108 N. Y. 529; *People ex rel. v. U. Ins. Co.*, 15 Johns. 358; *Jackson v. Collins*, 3 Cow. 89; *L. S. & M. S. R. Co. v. Roach*, 80 N. Y. 339; Laws of 1882, chap. 410, §§ 385, 1495.) It is very plain that the testimony in the record would not sustain a verdict against the warden, and hence a case is made out under

section 2140 of the code (Subd. 5), which authorizes a reversal where the verdict is against the weight of evidence. (Laws of 1892, chap. 577; Laws of 1894, chap. 716; *People ex rel. v. Comrs.*, etc., 106 N. Y. 64.)

O'Brien, J.: The relator was the warden of the city prison in New York and was removed from that office by the defendant, the commissioner of correction, after a trial, upon charges preferred against him. The Appellate Division has, upon certiorari, reversed the determination of the commissioner, both upon the law and the facts, and restored the relator to the office. Upon examination of the evidence and proceedings before the commissioner, and of the reasons given by the learned court below for its decision, we think there was no error committed of which the appellant has any right to complain. A careful review of the facts and the law governing the questions will show the decision to have been entirely satisfactory, and we can add nothing to the discussion of the question so thoroughly treated in the opinion. If there were no other points presented here than apparently were discussed below, we would be entirely satisfied to rest our decision upon the opinion of the learned judge who spoke for the court.

But the counsel for the defendant has urged upon us with much earnestness, as grounds for reversal of the decision below, a point which evidently is presented for the first time upon this appeal. It does not seem to have been presented upon the trial before the commissioner, and so far as we can judge from this record it was not made before the Appellate Division. (7 App. Div. 185.) The commissioner took testimony at length in support of the charges, as well as in the relator's defense, and counsel appeared upon both sides. The removal of the relator was the result of a full trial and investigation, and, as before observed, it was not suggested at any stage of the proceeding that he could be deprived of his office without such a hearing. It is now claimed, however, that the relator was not entitled to a hearing; that the commissioner could have removed him upon such information as to incompetency as he had, however, acquired; that the

testimony taken was not in pursuance of any law requiring an investigation or hearing, but on the commissioner's own motion and solely for his information with reference to his future action; that the Supreme Court had no right to act upon the testimony, though it was embraced in the return to the certiorari, but was bound by the allegations of the return showing that the removal was for misconduct and incompetency. In the proceedings before the commissioner it was assumed that the relator was entitled to a hearing. All the proceedings were conducted and the determination evidently made upon that theory; and it is by no means clear that the defendant should now be permitted to change his position in that respect. But assuming, without deciding it, that the point is now properly before us, the only question necessary to be considered is the true meaning and construction which should be given to a recent statute applicable to the case, since it must be conceded that if the relator was entitled to a hearing, then all the testimony taken was properly before the court below, and it had the power to review all the questions of law and fact disclosed by the record. There is no dispute with respect to the fact that the relator was a veteran Union soldier of the late war; and if the office which he held fell within the provisions of chapter 577 of the Laws of 1892, he could not have been removed without a hearing. The contention on the part of the learned counsel for the appellant is that the relator was not a "person holding a position by appointment in any city or county of this State * * * receiving a salary from such city or county," but a State officer, and thus, though a veteran, not within the provisions of the statute. This position is sought to be sustained upon the authority of *Maxmilian v. Mayor, etc.* (62 N. Y. 160). The question in that case was whether a commissioner of charities and correction in and for the city and county of New York was such an officer, servant or agent of the municipality that it became liable for his negligent acts. It is no doubt true that in this case the warden of the city prison was not such an agent or servant of the municipality as would render the latter liable for his acts of negligence or mis-

conduct. That is true of many local officers who are engaged in the performance of a public duty in which the city has no pecuniary or private interest. All officers, whether general or local, are created by State authority, and it may be difficult to classify them as distinctly State officers on the one hand, or city and county officers on the other. The sheriff, keeper of the jail and the police force, though created and organized under the authority of the State, are generally classed as local officers, and in some respects it may be said that they perform duties of a public character. The same Legislature that passed the act securing to veterans the right to a hearing before removal from office, passed chapter 681 of the Laws of 1892, which attempted to classify officers, and defined State and local officers. Under the classification there indicated the relator is not a State officer, but a county or city officer. The question here is, whether within the meaning of the statute, securing to veteran soldiers the right to a hearing, the relator is a "person holding a position by appointment in any city or county of this State, receiving a salary from such city or county," and we think he is. He was appointed by local authority. His salary or compensation is paid by the municipality, and his duties as keeper of the prison are limited exclusively to the city and county in which it was located. He held a position by appointment in the city and county of New York, and was, therefore, within the purpose and the general policy of the statute. It does not follow that because his acts of negligence or misconduct are not to be imputed to the city and county that he is not within the purview of the statute. The purpose of the statute evidently was to restrain the local appointing authority from arbitrarily removing veteran soldiers without cause, and without a hearing, and the circumstances that the incumbent may be performing duties of a public character, as distinguished from those merely private, cannot affect the construction which should be given to the law. The intention of the Legislature evidently was to secure to veteran soldiers holding such positions as the relator held the benefit of a hearing, and to protect them from arbitrary removals without cause.

We think that the case was correctly disposed of in the court below, and that the order and judgment appealed from should be affirmed, without costs.

All concur.

Order and judgment affirmed.

WILLIAM B. RIDENOUR, *Plaintiff*, v. THE BOARD OF EDUCATION OF
THE CITY OF BROOKLYN, *Defendant*.

(Supreme Court—Kings Special Term, January, 1896.)

(15 Misc., 418.)

1. **VETERANS.**— School Teachers in Brooklyn.

A teacher in the public schools in the city of Brooklyn is not an employe of the city or county, but of the board of education, and is not entitled to protection under the Veteran's Act (Laws 1892, chap. 577) from removal without a hearing.

2. **SCHOOLS** — Removal of Teachers.

A teacher of public schools is not entitled, under the general school laws of the state, to a trial on charges before removal, but his remedy is by appeal to the superintendent of public instruction or by action for damages against the board of education.

Motion to continue injunction restraining the defendant, the board of education of the city of Brooklyn, from summarily dismissing the plaintiff from his place as a teacher in the public schools.

M. L. Towns, for plaintiff.

A. G. McDonald and Alfred E. Mudge, for defendant.

GAYNOR, J.: The plaintiff seeks to enjoin the defendant, the board of education of the city of Brooklyn, from summarily dismissing him from his place as teacher in the public schools of the city of Brooklyn, claiming that he may not be dismissed except for cause found after a trial by the board upon charges. He makes this contention upon two stated grounds, viz., first, that he is an honorably discharged soldier of the war of the rebellion, and, second, that the general school laws of the State entitle all teachers in the common schools to the protection of such a trial.

1. There is a general statute that no honorably discharged soldier or sailor of the war of the rebellion "holding a position by appointment in any city or county," and "receiving a salary

from such city or county," shall be removed therefrom "except for cause shown after a hearing had." (Laws of 1892, ch 577.) This statute expressly excepts positions having a definite term fixed by law, and relates only to positions over which the power of removal may be exercised at pleasure. It also needs to be observed that it relates in terms only to positions in cities and counties. It does not cover appointees under the State government, nor in towns, villages or school districts. The plaintiff is concededly not holding a county position. If, therefore, he is not holding a position by appointment in the city of Brooklyn, viz., under the city government, and receiving a salary from the city, he does not come under the protection of the veteran statute. He is an employe of the board of education. It is not a part of the corporation of the city of Brooklyn, but is itself a local school corporation, like every board of school district trustees throughout the State (General Corporation Law, sec. 3), and is like every such board an integral part of the general school system of the State. It is a State and not a city agency, doing State and not city work and functions. Education is not city, village, county or town business. It is a matter belonging to the State government. From its comprehensive foundation by chapter 75 of the Laws of 1795, down to the recent codification of our school laws ("Consolidated School Law," Laws of 1894, chapter 556), our State system of education has remained a consistent whole. The present board of education of the city of Brooklyn is as distinctly a part of that whole as is any school district in the State. It is the lineal successor to the powers and duties formerly performed by the trustees of the several school districts of Kings county. The city of Brooklyn was incorporated in 1834. (Laws of 1834, ch. 92.) Its first charter is silent concerning public education. It conferred no power in respect of it upon any board or officer of the city. It left all the school districts of the locality as they had previously existed and been governed, viz., by the district trustees and the town commissioners. (Part 1, ch. 15, R. S. of 1830.) The next year the Legislature made it the duty of the common council to appoint

the trustees of the several school districts, and also the commissioners, instead of their being elected as formerly. (Laws of 1835, ch. 129, sec. 15.) The Legislature did not thereby make them city officers. It often happens that city officers are required by a statute to appoint individuals to do specified State duties, but that does not make such appointees city officers, or make the city liable for their acts. (*Ham v. Mayor*, 70 N. Y. 459; *Saw Mill Co. v. City of Brooklyn*, 71 id. 580; *Lorillard v. Town of Monroe*, 11 id. 392.) By chapter 63 of the Laws of 1843 the common council was required to appoint two or more persons from each school district to constitute a board of education of the city of Brooklyn, and this was its creation. By the said statute the said board was given the control and direction of the common schools of Brooklyn, and all of the powers under the general State school laws of trustees of school districts (who were thus locally done away with), but under and subject to rules and regulations, not consistent with the said laws, which the common council was required to make, and the members of the common council were *ex-officio* made school commissioners. The treasurer of the city was *ex-officio* made custodian of all school moneys, but to the board of education was given the spending of the same. By chapter 143 of the Laws of 1850 the whole city was made one school district for the purposes of taxation, the building and repairing of schools and the support of the schools; but the board of education was directed to divide the city into districts for the purpose of regulating attendance. Reference to the duties of school commissioners prescribed by the Revised Statutes (*supra*) will show that this transferred to the board of education all such duties, and thus the members of the common council ceased to be school commissioners. This act also empowered the board of education to make rules for its own government and for the government and discipline of the schools, thus taking that power from the common council. The foregoing acts (and several others which I do not need to cite) were not amendments of the charter of Brooklyn, but separate and distinct school laws. They cannot be construed as making

the local school system a part of the city corporation, but manifest a contrary purpose. But the act consolidating the cities of Brooklyn and Williamsburgh and the town of Bushwick, the system created by these acts was recognized and in so many words continued. (Laws of 1854, ch. 384, title 11, sec. 13.) That is all there is in this charter of the new city upon the subject. In the revised charter of Brooklyn passed in 1873 (ch. 863, title 16), it is provided as follows: "There shall be a department of public instruction which shall be under the control of a board of education, and all the provisions of law relating to the present board of education of the city of Brooklyn shall apply thereto, except so much as relates to the appointment of members thereof;" and then it makes the change that the mayor shall appoint the members with the approval of the common council. This is all that that act contains on the subject of education. It nominally creates a department of public instruction, but puts it under control of the board of education, which was and always had been a corporate entity itself, having a treasury, and capable of holding property, of contracting and of suing and being sued; and which has always held, as it still holds, title to all of the school property within the city. (*Allen v. City of Brooklyn*, 8 Blatchford, 535.) It was not brought into existence by this act, but had theretofore existed, and was to continue under the distinctively school laws which I have cited, and by one of which it was created in 1843, and also subject to the general school laws of the State. The present charter (Laws of 1888, ch. 583, title 17), is, in the respect under consideration, a re-enactment of the charter of 1873. It also contains some of the provisions of the said school laws cited above; among others, those making the city treasurer ex-officio treasurer of the board of education, and giving the board of education the powers and subjecting it to the duties of trustees of school districts throughout the State. By it, also, the mayor has the sole power of appointing the members of the board. This charter is a revision and combination into a single act of all local and special acts relating to the corporation of the city of Brooklyn. At its end is a clause re-

pealing all prior local and special acts relating to the "corporation of the city of Brooklyn * * * or to the administration of the property or affairs of said corporation." This carefully limited repealing clause did not repeal the local school laws relating to the common schools in the city of Brooklyn, but left them intact. It is obvious that it was not meant to work such repeal, for the board of education and the schools are governed under them as they have been from the beginning, and by virtue of them all the local school property is vested in the said board, and owned by it and not by the city.

The plaintiff being an employe of the board of education, and it not being part of the corporation of the city of Brooklyn, as I conclude from the foregoing, the veteran statute affords him no protection. Moreover, the plaintiff does not receive a salary from the city, but from the board of education, and its moneys are made up of State school moneys raised by taxation and invested State school funds, as well as from local taxation.

2. In respect of the plaintiff's claim that the general school laws of the State entitle him to a trial, this is the only provision upon the subject, viz.: "Nor shall any teacher be dismissed in the course of a term of employment, except for reasons which, if appealed to the Superintendent of Public Instruction, shall be held to be sufficient cause for such dismissal." ("Consolidated School Law," Laws of 1894, chap. 556, tit. 7, art. 6, sec. 47.) This language does not give to the teacher the right to a trial. (People ex rel. Keech v. Thompson, 94 N. Y., 451; People ex rel. Fonda v. Morton, 148 id., 156.) The relation between the plaintiff and the board of education is simply the contract one of employer and employe ("Consolidated School Law," title 7, act. 6, sec. 47), and for a breach of his contract of service by a dismissal without cause the board would be liable to him in an action for damages. (Gillis v. Space, 63 Barb. 177; Wait v. Ray, 67 N. Y. 36.) The by-laws of the board provide for "annual salaries" and "yearly salaries" for teachers (art. 11), and they are part of the plaintiff's contract of employment. (People ex rel. Hoffman v. Board of Education, 143 N. Y. 65.) But as it has

recently been declared the law of this State that a hiring at a year's salary is only a hiring at will (*Martin v. Insurance Co.*, 148 N. Y. 117), that would seem to be the plaintiff's case, unless the requirement of the general school law that teachers be employed for a term, read into and with the said by-laws, saves him.

The motion to continue the temporary injunction is denied.
Motion denied.

MATTER OF THE APPLICATION OF JOHN VANDERHOFF FOR A MANDAMUS AGAINST GEORGE W. PALMER, COMPTROLLER OF THE CITY OF BROOKLYN.

(Supreme Court, Kings Special Terms, January, 1896.)

(15 Misc., 434.)

1. MANDAMUS—RESTORATION OF OFFICIAL IMPROPERLY REMOVED.—A mandamus to compel the restoration of an officer or employee who has been improperly removed cannot be granted where there has been a delay of over four months in making application therefor.
2. VETERANS—IMPROPER REMOVAL A MISDEMEANOR.—*Semble*, that a willful and wrongful removal of a veteran from office is a misdemeanor, and punishable as such.

Motion for a writ of mandamus to compel the restoration of the applicant to office as a clerk in the tax and assessment bureau of the department of finance of the city of Brooklyn.

James D. Bell, for petitioner.

A. G. McDonald, corporation counsel, opposed.

GAYNOR, J.: The petitioner was a clerk in the tax and assessment bureau of the department of finance of the city of Brooklyn. The comptroller was expressly prohibited by statute from removing him except for cause shown after a hearing, he being entitled to that protection under the veteran statute, chapter 577, Laws of 1892. On January 26, 1895, the comptroller informed him that he would not be retained after January 30th. On the latter day the petitioner informed the comptroller by letter that he was a veteran, and therefore entitled to hold his position. The comptroller on the same day answered him by letter, acknowledging the receipt of his notice of "intention to insist" on his rights under the veteran statute, and concluding as follows: "I now notify you that on and after this date your position will be abolished." It is shown that whereas only seven, or eight

clerks were employed in the said bureau prior to and at the time of the petitioner's discharge, the comptroller now employs ten clerks there, and it is insisted that the Veteran Law may not be nullified or defied by a mere pretense of abolishing places. This is undoubtedly so; but the question of whether the comptroller's act in nominally abolishing the petitioner's position was really to make way for another, and therefore only a sham, cannot be tried herein, because of the delay of the petitioner in instituting this proceeding. It has been decided that a delay of more than four months bars an application for a mandamus for reinstatement (*People ex rel. Miller v. Justices, etc.*, 78 Hun, 334), and this petitioner delayed more than eleven months. It is insisted that the conduct of the comptroller was willful and wrongful. I do not see how that affects the case. The only remedy provided for that is by indictment. The said veteran statute expressly prohibits the removal of a veteran except for cause shown after a hearing but imposes no punishment for a violation thereof. But section 155 of the Penal Code provides that "where the performance of any act is prohibited by a statute, and no penalty for the violation of such statute is imposed in any statute, the doing such act is a misdemeanor." This general provision covers the unlawful removal of veterans by a public officer, and makes it a general misdemeanor, which is punishable by imprisonment not exceeding one year, or fine not exceeding \$500, or both. (Penal Code, § 15.) While no such criminal prosecution has yet been had for violation of the veteran statute, like criminal prosecutions have been sustained in similar cases. (*Gardner v. People*, 62 N. Y. 299; *People v. Norton*, 7 Barb. 477.) So many veterans have had to apply to this court for reinstatement during the last two years, that it is deemed timely not to pass unnoticed the plaintiff's claim of a wrongful removal.

Motion denied.

THE PEOPLE *ex rel.* JACOB WAGNER *v.* THE BOARD OF TRUSTEES
OF THE VILLAGE OF COHOCTON.

(Supreme Court, Monroe Special Term, July, 1896.)

(17 Misc. 652.)

1. **MANDAMUS — PEREMPTORY.** — A peremptory writ of mandamus cannot be granted where material facts in the petition are controverted by the opposing affidavits.
2. **OFFICE — VETERANS — MANDAMUS.** — Mandamus will not lie to compel the appointment of an honorably discharged veteran to office, where another appointee is in possession of such office and performing its duties, but the remedy is by *quo warrants*.

Application by relator for a writ of mandamus requiring the Board of Trustees of the Village of Cohocton forthwith to convene and remove Frederick Zimmer from the office of street commissioner of said village, and to appoint in his place and stead in said office said relator.

The relator is a resident of the village of Cohocton, Steuben county, N. Y., which is incorporated under the General Village Act. The charter of said village provides, among other things, that there shall be a street commissioner who shall be appointed annually by the board of trustees and shall hold office for one year, unless sooner removed or disqualified, and until his successor shall be appointed or qualify.

On the 15th of March, 1896, relator filed an application in writing with said trustees asking for relator's appointment to the said office of street commissioner of said village. The relator's affidavit presented upon this application sets forth that he is an honorably discharged veteran, having served in the armies of the United States in the late war of the rebellion, and that this fact was known to said trustees at the time of the filing of said application. It does not appear from said affidavit that the written application filed with said trustees, as aforesaid, contained any statement indicating that the relator claimed a preference by reason of such military service and discharge. Said affidavit further sets forth that the other applicants for appointment to said office were not veterans, and that the relator is a man in sound health and mentally and physically competent to discharge the duties of said office. That he had previously and in the years 1892, 1893 and 1894 served as street commissioner

of said village, and is now employed to look after the system of water-works in said village. That said trustees, in violation of law and against relator's rights, have appointed to the said office of street commissioner one Frederick Zimmer, who is now discharging the duties thereof.

The affidavits presented on behalf of the defendants disclose that said trustees, in the performance of their duties, held a meeting on the 17th day of March, 1896, to consider the several applications filed for the office of street commissioner of the village of Cohocton. That among the applicants were the relator and Frederick Zimmer, the present incumbent. That there was no evidence before said board of trustees that the relator was an honorably discharged Union soldier and as such entitled to preference under the statutes of this State, although the fact was well known to the trustees as individuals, each of whom were and had for several years been well acquainted with him. They did not consider him fit and competent to perform the duties of said office, and did regard the said Zimmer, the present incumbent, as a proper man for the place. That in the performance of their duties and in the proper exercise of the power vested in them they appointed said Zimmer on account of his superior qualifications over other applicants, and for no other reason.

Fred. J. Durgan, for relator.

W. W. Clark, for defendants.

WERNER, J.: If this were to be treated as an application for a peremptory writ of mandamus, it would have been denied under the rule that the right to such a writ must be determined upon the assumption that the averments of the opposing affidavits are true.

The relator's demand for a peremptory writ where the essential allegations of the moving papers are controverted is equivalent to a demurrer which admits the truth of the opposing affidavits. (People ex rel. Corrigan v. Mayor, 149 N. Y. 223.) The peremptory writ of mandamus can only be granted when the relator's right thereto depends only upon questions of law. (Code Civ. Pro., § 2070.) Admitting, as we must for the purposes of an

application for a peremptory writ of mandamus, the truth of defendants' allegations, the relator is clearly not entitled to such writ. If the relator's application is to be treated as one for an alternative writ of mandamus, then the case of *People ex rel. Hoffman v. Rupp*, 90 Hun, 145, seems to be conclusive upon this court as an authority against the relator's contention. That case was decided after the passage of chapter 716, Laws of 1894, upon which the relator bases his claims; and, with a single exception, is identical in its facts with the case at bar. The only essential difference between the two cases lies in the fact that in the Hoffman case the relator's application for position, filed with the board of police commissioners, stated that he was an honorably discharged Union soldier, and as such was entitled to preference under the statutes of this State. In this case the relator's affidavit contains no such averment, and the affidavits of the defendants affirmatively state that the relator's application, filed with said board of trustees, contained no such statement. Under the ruling of *People ex rel. Hoffman v. Rupp*, *supra*, this is not a material circumstance, and it is referred to here simply to show that even if this court were not bound by that decision, the relator's papers do not make out a case for an alternative writ of mandamus.

The contention of the relator's counsel that the case last above cited has been overruled by the Court of Appeals in *People ex rel. Corrigan v. Mayor*, *supra*, does not seem tenable. In that case the relator had been removed from his position, which he claimed had been ostensibly, but not in fact, abolished, for the sole purpose of furnishing an excuse for his discharge. The court held "that he was not entitled to the peremptory writ of mandamus granted by the court below, and that the disputed facts arising upon the question of the good faith of and the reasons for the relator's discharge should have been tried in the manner provided by statute, under an alternative writ of mandamus.

If it was the intention of the Court of Appeals to hold that upon the facts presented in that case an alternative writ of mandamus would have been the relator's sole remedy, that con-

clusion is by no means clearly stated. But there is a manifest distinction between that case and the one before us. The rule, "that where an office is already filled by an actual incumbent exercising its functions, even when he is merely an officer *de facto* under color of right, mandamus is not available to compel the admission of another claimant to the office," has not been disputed or questioned. In such a case the appropriate remedy is an action in the nature of *quo warranto*, and if by the judgment of the court in such case a vacancy is created, then the proper authorities may be compelled by mandatory writ to exercise their duty in filling it. (People ex rel. Wren v. Goetting, 133 N. Y. 569.)

This later principle, which was not involved in People ex rel. Corrigan v. Mayor, *supra*, was properly invoked in People ex rel. Hoffman v. Rupp, *supra*. This case contains no distinguishing features which would warrant a departure from the rule laid down in the case last above cited. The relator's application must, therefore, be denied.

Application denied.

THE PEOPLE OF THE STATE OF NEW YORK, *ex rel.* CHARLES HOFFMAN, *Appellant*, v. CHARLES A. RUPP AND OTHERS, CONSTITUTING THE BOARD OF POLICE OF THE CITY OF BUFFALO, NEW YORK, *Respondents*.

Supreme Court, General Term, Fifth Department, October, 1895.

(90 Hun, 145.)

It is not the province of a writ of mandamus to establish rights or to determine controversies; it is available only for the enforcement of a clear, specific legal right which must be attended by an existing duty on the part of the person to whom the mandamus is directed to perform or execute it, and the absence of either defects the remedy.

Where the office is already filled by an actual incumbent exercising the functions of such office, even when he is merely an officer *de facto* under color of right, a mandamus is not the proper remedy to compel the admission of another claimant to the office.

Ward, J. dissenting.

Appeal by the relator, Charles Hoffman, from a judgment of the Supreme Court, in favor of the respondents, entered in the office of the clerk of the county of Erie, on the 21st day of May, 1895, upon the decision of the court rendered after a trial at the Erie Special Term, dismissing the proceeding upon the merits.

George W. Cothran, for the appellant.

Frank C. Laughlin, for the respondents.

BRADLEY, J.: This proceeding was instituted by an alternative writ of mandamus commanding the defendants to appoint the relator to the office of the assistant sealer of weights and measures of the city of Buffalo, or show cause to the contrary.

The writ was founded upon the fact that the relator had served in the army of the United States in the late war, and was honorably discharged therefrom; that he had made application to such board of police for appointment to that office, and was entitled to preference pursuant to the statutes which provides that, "In every public department * * * of the State of New York and of the cities * * * thereof, and also in noncompetitive examinations under the Civil Service rules, laws or regulations of the same, wherever they apply, honorably discharged Union soldiers and sailors shall be preferred for appointment and employment; age, loss of limb or other physical impairment, which does not in fact incapacitate, shall not be deemed to disqualify them; provided, they possess the business capacity necessary to discharge the duties of the position involved." (Laws 1894, chap. 716.)

The statute also further provides that "Civil Service rules and laws of this State shall not apply to such persons, residents of this State, who served in the army or navy of the United States in the late war, and have been dishonorably discharged therefrom, for any position or employment, the compensation of which does not exceed four dollars a day, in the public departments and upon all public works of the State of New York and of the several cities, counties, towns and villages thereof." (Laws 1894, chap. 717.)

The defendants made return to the writ and the issues were tried, and the court found as facts that the office of assistant sealer of weights and measures is a public office of the city of Buffalo, with an annual salary attached thereto of \$1,000, and with a definite term of one year; that on the 12th day of December, 1894, there were two vacancies in such office, and that the filling of them by appointment devolved upon the defendants,

constituting such board of police; that the relator was a volunteer soldier in the army of the United States in the late war, and was honorably discharged therefrom; that he applied to the board for appointment to such office, and in his application set forth his military service and honorable discharge; that he was competent to perform the duties of the office, and was the only honorably discharged soldier who applied for appointment to either of those vacancies; that the board of police did not appoint the relator, but did appoint two other persons who duly qualified and were incumbents of the office; that neither of them was an honorably discharged soldier; that each of them had qualifications for the performance of the duties of the office superior to those of the relator, and that such superior fitness was the inducement for their selection by the board in preference to the appointment of the relator.

And, as conclusion of law, the court determined that the writ of mandamus was not the proper remedy and dismissed the proceeding.

The only question requiring consideration on this review is whether the remedy adopted by the relator was available for the purpose of the relief sought by him.

The purpose of the statute is to give preference to honorably discharged soldiers in making appointments to the offices within the classes there referred to, and such is the duty devolved upon the appointing power, not, however, excluding from consideration the question of competency and fitness for the positions.

Assuming that the relator was entitled to preference as against either of those appointed by the defendants, he has no title to the office. That is not given by the preference, but is dependent upon appointment by the constituted authorities, without which no person can legally become an incumbent of the office. It is in that view that the relator seeks to enforce his appointment by the defendants. They have exercised their power in that respect, and the persons appointed are in the offices. But it is insisted that one of them was unlawfully placed there by reason of such preference to which the relator was entitled, and that the defend-

ants, having made the appointment in violation of law, cannot assert it in denial of his right to the preference. The fact remains that there is no such vacancy to fill. The offices are occupied by those having apparent authority, derived from appointment by the board having the power to make it. The appointment of the relator would not displace either of the present incumbents. It is not the province of a writ of mandamus to establish rights or to determine controversies. It is available only for the enforcement of a clear, specific legal right, and there must also be an existing duty of the respondents to perform or execute it. The absence of either defeats the remedy. The proceeding by mandamus in some sense has the nature of an action between the parties, and is for the enforcement of a right in favor of the person in whose behalf the writ is granted. The duty of the respondents, without the corresponding right upon his part, would furnish no support for granting it. (*People ex rel. Bailey v. Supervisors*, 12 Barb. 217.) The claim of the relator upon which the proceeding is founded, is that he is entitled to the office. The question of his appointment involves the consideration of the right to the office, and unless that latter is clear the writ of mandamus is not the appropriate remedy to enforce the former. It cannot be assumed that the right to the office does not present a disputed question which would have to be determined upon conflicting claims between the relator and one of the present incumbents. The determination of the right in such case is not within the purpose of a proceeding by mandamus, but the question may properly arise and be disposed of in an action which now in this State takes the place of what was formerly known as an information in the nature of quo warranto. (Code Civ. Proc. §§ 1948, 1983.)

In such case the proceedings or action is instituted by the Attorney-General in the name of the People, and the relief sought is not dependent upon the right of the relator. The burden, in the first instance, is with the defendant to show that he has the legal title to the office, and the fact that he is ousted for want of such title or right to the profession of it, does not necessarily

establish the title of the relator to it. (People ex rel. Judson v. Thacher, 55 N. Y., 525.)

The proposition is well settled that where an office is already filled by an actual incumbent exercising the functions of it, even when he is merely an officer de facto under color of right, mandamus is not available to compel the admission of another claimant to the office. (People ex rel. Arcularious v. Corporation of New York, 3 Johns. Cas. 79; People ex rel. Wren v. Goetting, 133 N. Y. 569.)

It is first to be determined in an appropriate action in the nature of quo warranto whether one of the persons appointed by the defendants to the office in question is unlawfully in possession of it, and if the result is judgment of ouster, a vacancy is furnished.

Then it may be the duty of the board of police to fill it, and, in that event, if any one person is entitled to the appointment, he may, if necessary, proceed to obtain it by means of the mandatory writ.

Those questions, however, do not arise here for consideration.

The conclusion of the trial court, that the writ of mandamus was not the proper remedy, is well supported by the opinion of Justice Spring, before whom the trial was had.

The judgment should be affirmed.

Lewis and Davy, JJ., concurred.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* PATRICK M. HAVERTY *v.* EDWARD P. BARKER AND OTHERS, CONSTITUTING THE BOARD OF TAXES AND ASSESSMENT OF THE CITY OF NEW YORK.

Supreme Court, Appellate Division, First Department, February, 1896.

(1 App. Div., 532.)

DISCHARGED UNION SOLDIER — DISMISSAL FROM OFFICE.—The evidence reported in the return of the writ of certiorari in this case held to be insufficient to justify a dismissal. The form of the return discussed.

Certiorari issued out of the Supreme Court and attested on the 5th day of December, 1895, commanding the defendants to certify and return to the office of the clerk of the county of New York all the evidence and proceedings concerning the removal and discharge from office of the relator as tax assessor of the city of New York.

Thomas C. O'Sullivan and Gilbert D. Lamb for the relator.

Theodore Connolly for the respondents.

PATTERSON J.: On the 1st day of August, 1895, and for ten years prior thereto, the relator held the office of assessor under the jurisdiction of the commissioners of taxes and assessments of the city of New York. On the day named he received a notification from such commissioners of their intention to remove him from office upon the charge that he was physically incapable of performing the duties of his position. He is a discharged Union soldier, and in this proceeding claims the privileges to which he is entitled by the provisions of the statutes of this State concerning veteran soldiers and sailors holding civil office. It is proper to premise that so far as his statutory privileges and immunities are concerned there has been no actual or threatened violation of them by the form of the proceedings before the tax commissioners now under review. He was duly and regularly notified of the charge; a day was appointed for a hearing; he was represented by counsel, and every opportunity was given him to have the charge fully investigated, so that there is nothing to be imputed to the commissioners in the way of a violation of

the requirements of the law respecting the conduct of the inquiry before them as to its form.

But it is apparent from the papers brought up on the return to this certiorari that the discharge of the relator was improper upon the evidence before the commissioners. Without deciding now what would be competent evidence in a case of this kind, and confining ourselves to a review of their proceedings as they appear now before us, it is incumbent upon this court to inquire whether, in making the determination at which they arrived, any rule of law affecting the rights of the relator was violated to his prejudice, and whether there was any competent proof of all the facts necessary to be proven to justify the determination at which they arrived. (Code Civ. Pro. § 2140.) In examining the record for the purposes mentioned it is quite plain that not only was testimony, absolutely inadmissible, permitted to be given and which necessarily must have prejudiced the relator's case, but that upon all the facts as they are made to appear there was not sufficient competent evidence to justify the dismissal from office of the relator. On the contrary, the inferences, from what meagre testimony there is, rather tend to establish competency than incompetency.

The specific charge made against the relator is set forth in a letter dated August 21, 1895, and sent to him by the commissioners of taxes and assessments through their secretary; and is in the following words, viz.: "That owing to your physical ailments you are incapacitated from discharging your official duties as contemplated by the provisions of the law applicable to your position as one of the board of assessors."

This specific charge refers directly to the official duties prescribed or contemplated by the law relating to the board of assessors; by consulting which we find that that board is composed of four persons charged with the duty of making the estimates and assessments required by law for building wells, erecting pumps, pitching, paving, regulating and repairing streets, relaying pavements, constructing sewers, fencing vacant lots and public slips and for all other improvements directed by corporation

ordinances for which an assessment must be made, and that such assessors, or a majority of them, are also to make all estimates and assessments, give all notices in connection therewith, receive and pass upon all objections of owners of property and make certificates in accordance with the existing laws relative to all such matters. (Laws of 1882, chap. 410, §§ 865, 866.) The practical methods by which the assessors discharge these statutory duties are somewhat vaguely and generally stated in the testimony of Mr. Jasper, who is secretary of the board, of which the relator was a member. His statement is that the actual work done by the assessors has been to determine judicially what proportion the benefit which one piece of property derives shall bear to that derived by another in assessing proportionately the total cost of the work of improvement which is passed upon, figures which he himself has at times made from returns from surveyors in charge of the work and at other times from figures made by the chairman of the board, Mr. Wendt; that all these figures are submitted to the board and an informal talk is had over them at which they conclude upon the principle to be adopted in levying assessments; that claims for damages are also brought to the attention of the assessors; that objections are filed and attorneys representing owners of property present claims for damage by affidavits of the owners; that the subject of damage claims is then taken up and considered by the assessors, who personally visit the premises claimed to have been damaged, give hearings to the claimants and decide such questions as may arise on such claims; that these proceedings are had at regular meetings, after which the assessors consult and make their determination; that in the conduct of such proceedings, the assessors, whenever it may be necessary, interrogate the parties; that these meetings are held frequently, and that during the year beginning August 1, 1893, and ending August 1, 1894, seventy-seven claims were presented; from August 1, 1894, to August 1, 1895, eighty-two claims were presented; that during the year 1895 there were 105 regular meetings of the assessors (which was about the yearly average of regular meetings), and

that informal meetings occurred every day; that at such informal meetings various persons attended and conversations with the assessors constantly took place.

Such being the general character of the duties of the assessors, the real inquiry before the respondents was as to the incapacity of the relator to perform them, or any of them. No claim or suggestion is made of any mental incapacity on the part of the relator; on the contrary, the testimony is that he had mental capacity to discharge the duties of his place. The only testimony respecting his physical condition is that of Jasper and another witness presently to be mentioned. The former testified that all he observed in the physical condition of the relator was feebleness, tremulousness of his hands, his requiring assistance to put on or take off his overcoat, some slowness of locomotion and the necessity of helping him to rise from his chair when he was seated, and some difficulty in articulating when speaking. This record may be searched in vain for any other evidence of actual physical incapacity, unless it may be some very vague and inconclusive suggestions respecting the difficulty of the relator in making memoranda. The cross-examination of this witness, Jasper, distinctly shows that nothing he claims to indicate physical incapacity, has, in any way, at any time, interfered with the relator's performance of his duty. In the first place, he distinctly testifies that all the work of the board of assessors was as well and as efficiently done during the year 1895 as at any previous time; that all the claims before it were passed upon as promptly during the year 1895 as before, and that no complaint was ever made, that the witness heard of, that the duties of the assessors were not properly performed until the present proceedings were instituted. He also testified that Haverty was at his office regularly and that he has seen him every day at the office for ten years. He also said that he has seen the relator walking up stairs alone and had seen him walk across the park alone; that the relator's hearing was entirely good; that his sight was fair; that he was able to read the objections on the assessment list without difficulty; that his signature was legible and that he

made that signature 300 or 400 times a year; that there was some difficulty in understanding what the relator said at first, but he never failed to understand him ultimately, and particularly does this witness testify that he cannot state specifically wherein the relator has recently shown less competency than when he originally entered upon the service of the city.

Now it is to be noted that there is a singular absence of testimony as to any one specific thing which disqualifies this relator from performing any particular part of his work, and it is also a striking circumstance that not one single person doing business with the board of assessors has been called upon by the prosecution to give evidence respecting the condition of the relator or any inability to understand him; nor has any one of his three fellow-assessors been called upon to give any statement respecting his condition. There is no charge, or claim, or intimation that the work of either of these assessors has been augmented by any inefficiency of Mr. Haverty; but the testimony is distinct and clear that the whole work of the board of assessors was done as well, as promptly and as satisfactorily up to the time of the relator's dismissal as during any period within the knowledge of the witnesses called by those preferring the charge against the relator. It does not appear in the evidence that the clerical force of the assessors has been increased, but it also specifically appears that that was not in consequence of any delinquency or incompetency on the part of any assessor to do his own work, but was attributable to the increased business consequent upon the normal growth and development of the city.

The only witness who testifies upon the subject is Mr. Baer, and it is scarcely worth while alluding to what he says. He simply states that he has noticed that the relator has trouble in walking, trouble in writing and trouble in speaking, and that it is progressive; his testimony is altogether too vague to be the basis of a finding depriving a person of his office upon the charge which has been made against the relator.

Conspicuous in this record is an error of the commissioners in admitting testimony which could not but be prejudicial to the relator, and it was objected to by his counsel. The witness Jasper was asked to tell whether or not the relator's condition had interfered with the performance of his duties, and, if so, to what extent. Instead of answering this question by detailing facts, the witness answered: "I have concluded that his present condition and his condition for some time, has very much interfered with the discharge of his duties." A motion was made to strike this answer out; but the commissioners would not allow it. It is perfectly obvious that they permitted this witness to determine the very issue they were called upon to try and determine themselves, and accepted as conclusive his judgment as a determinate factor in the case. No argument is needed to show the impropriety and the injustice of such ruling. It will, therefore, be seen that there is nothing whatever in the testimony to sustain the conclusion of the commissioners.

But it is argued that, inasmuch as they state in their return that their findings were based not only upon the testimony but upon the appearance of the relator when before them, which indicated physical incapacity to do his work, that their conclusion cannot be interfered with, as it is simply impossible for the court to review that which is the result of their personal inspection of the physical condition of the relator. It is very true that the court has no power to review that which was the result of such an inspection, but the record does not contain one word of description of the appearance of the relator when he was before the tax commissioners. Whether he was palsied or a paralytic, or was in a state of decrepitude, or what physical impairment he suffered from, if any, does not appear. The testimony is utterly insufficient. There is nothing really in the case except a mere declaration of the commissioners that, upon looking at the relator, they were satisfied that he was unable to perform his duty. This cannot be allowed to prevail in a case in which any inferences are to be drawn at all from the testimony, they

are that the relator not only was not disqualified, but that he was capable of performing and was performing such duties incumbent upon him in the office he held. That he was in feeble health, to some extent, and slightly debilitated, cannot be sufficient to deprive him of his office. There must be actual inability to do the work, and not one fact is presented on this record to establish that actual incapacity.

We are, therefore, compelled to hold that there was not sufficient evidence before the commissioners to justify their removal of the relator, and their determination should be reversed and the relator reinstated in his office as of the date of August 1, 1895, with \$50 costs and disbursements.

Van Brunt, P. J., Barrett, Rumsey and Williams, JJ., concurred.

Proceedings reversed and relator reinstated, with \$50 costs and disbursements.

THE PEOPLE OF THE STATE OF NEW YORK, *ex rel.* FRANK J. CARROLL, *Respondent*, v. THE NEW YORK CITY CIVIL SERVICE BOARDS AND OTHERS, *Appellants*.

(Appellate Division, First Department, May Term, 1896.)

(5 App. Div. 164.)

VETERAN.—Change of the position of bridge tender from one Civil Service schedule to another—thereafter the names must be certified from the new schedule—Constitution of 1895, article 5, section 9.

Upon an appeal, by the New York City Civil Service Boards and others, from an order directing that a peremptory writ of mandamus issue requiring the appellants to certify the name of the relator to the commissioners of the department of public parks as being on the registry and as being qualified for the position of a bridge tender in the said department, it appeared that on November 1, 1895, an examination was held under Schedule F (in which schedule the position of bridge tender was classified) for the position of bridge tender, and on November 4, 1895, an eligible list under that schedule was prepared.

On November 7, 1895, the Civil Service Board recommended to the mayor that the position of bridge tender should be transferred from Schedule F to Schedule G, which recommendation was duly approved by the mayor. Thereafter, a position as bridge tender having become vacant, the relator, who had passed the requisite examination under Schedule G, and was then on the list prepared under that schedule, demanded that he be certified as eligible for the position. The appellants refused to certify his name, insisting that when a position was transferred from one schedule to another it was their custom to make no appointments for a position in the new schedule until all the persons upon the eligible list under the old schedule has been appointed; it did not appear, however, that any official action had been taken by the Civil Service Board upon this matter.

Held, that the position of the relator was correct;

That the position of bridge tender must, after the transfer of the position of bridge tender from Schedule F to Schedule G, be filled from Schedule G;

That, as the relator was upon the eligible list prepared under Schedule G, and as he was also a veteran, he was entitled to the preference given by section 9 of article 5 of the State Constitution, which went into effect upon the 1st day of January, 1895.

Appeal by the defendants, The New York City Civil Service Boards and others, from an order of the Supreme Court, made at the New York Special Term and entered in the office of the clerk of the county of New York on the 25th day of March, 1896, directing that a peremptory writ of mandamus issue requiring the defendants to certify the name of the relator to the commissioners of public parks of said city as being on the registry and as being qualified for the position of a bridge tender in the said department, and allowing to the petitioner and relator fifty dollars costs of this proceeding.

It was alleged on behalf of the relator that he was a veteran of the late civil war having a family dependent upon him.

Theodore Connolly, for the appellants.

George Malraison, for the respondent.

INGRAHAM, J.: On the first day of January, 1895, the Constitution adopted by the people in November, 1894, was in force, and by article 5, section 9, it was provided that "Appointments and promotions in the Civil Service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations which, so far as practicable, shall be competitive, provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made." And in the case of *People ex rel. McClelland v. Roberts* (148 N. Y. 360) it was held that in adopting the new Constitution "the people in their original capacity decreed that thereafter all the departments of the government should be brought within the operation of existing laws on the subject of appointments;" that it was the intention

to put all the new provisions of the Constitution into operation so far as practicable through the instrumentality of such laws as were then in force.

It appears from the papers upon which this order for a mandamus was granted that at the time this constitutional provision came into effect the position of bridge tender was classified by the New York City Civil Service Board in Schedule "F." It does not appear whether the offices classified in Schedule "F" were to be filled by competitive or noncompetitive examinations. The only statement in relation to the Schedule "F" is "that the examination for Schedule 'F' was and is the regular examination by the board of examiners for mental capacity, and also at the option of respondents, a physical examination, but that for Schedule 'G' the examination is merely a medical one to ascertain the physical qualifications of the candidates, supplemented by such recommendation or information as may throw light upon his qualifications for the position sought." It further appeared that on November 1, 1895, an examination was held for the position of bridge tender, which was at that time in Schedule "F" of the classification of the above-mentioned board; that at such examination a number of persons passed the same and were placed upon Schedule "F," and an eligible list was prepared therefrom on November 4, 1895. It further appeared that on November 7, 1895, the Civil Service Board recommended to the mayor that the position of bridge tender be transferred from Schedule "F" to Schedule "G," and that such recommendation was duly approved by the mayor.

It seems to us quite clear that after this position of bridge tender had been classified under Schedule "G" all positions of bridge tender that became vacant after such classification were to be filled after an examination provided for by the rules of the Civil Service Board as applicable to Schedule "G" and not to Schedule "F." The mere fact that a list under the old examination, which was no longer applicable to candidates for this position, had been prepared therefrom, was not sufficient to justify the Civil Service Board, or its subordinates, in certifying to the ap-

pointing power a candidate for such appointment without a further examination as provided for by the Civil Service rules for applicants under Schedule "G." Appointments to positions subsequently becoming vacant were then to be made from an eligible list prepared after examinations under the rules relating to Schedule "G;" and as this relator had passed such an examination, and had been placed upon Schedule "G," he became eligible for an appointment in case a vacancy for a position as bridge tender existed.

The provisions of section 9 of article 5 of the Constitution, before mentioned, then applied, and this relator became entitled to a preference in appointment without regard to his standing on any list from which such an appointment or promotion could be made. This is recognized by rule 71 of the city Civil Service regulations, which provide that in making such certification the labor clerk shall certify in the order of registration veterans with families dependent upon them for support. The relator shows that he is a veteran with a family dependent upon him for support. It further appears that there is no other applicant for this position who is a veteran with a family dependent upon him for support.

It follows, we think, that upon receiving a requisition from the department of public parks for the names of persons to be employed as bridge tenders this relator was entitled to have his name certified by the labor clerk to such department.

The appellants stated in their answering affidavits that it has been the practice of the board when a position is transferred from one schedule to another to make no appointments for the position in the new schedule until all the persons who are on the eligible list for such position from the old schedule had been appointed; but it is not alleged that any rule has been made by the board upon that subject, nor that any official action has been taken upon this question, the secretary simply swearing that it has been the practice. While we are prepared to give full force and effect to all rules made by the Civil Service Board in the discharge of its duties, we do not think that a mere practice, un-

sanctioned by any express resolution of the board, or rule made by the board, should have the force and effect of such a rule or resolution.

There is nothing in the papers to show that the board itself has deliberately passed upon this question, or that it has expressly directed the labor clerk to certify from the old list of Schedule "F," instead of from the eligible list under Schedule "G," within which this position is now classified. We think, therefore, that the court below was right in awarding a mandamus, and that the order appealed from should be affirmed.

Objection is made to the amount of costs awarded by the court below. We are not disposed to interfere in this case with the discretion exercised by the court in the award of costs, but in view of the amount awarded we will affirm this order, without costs.

Van Brunt, P. J., Barrett, Rumsey and O'Brien, JJ., concurred.
Order affirmed, without costs.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* THOMAS MOLONEY,
Relator, v. GEORGE C. WARING, JR., COMMISSIONER OF THE
DEPARTMENT OF STREET CLEANING OF THE CITY OF NEW YORK,
Appellant.

(Supreme Court, Appellate Division, First Department, June, 1896.)

(7 App. Div., 204.)

VETERAN AND EXEMPT VOLUNTEER FIREMAN — DISCHARGE. — An honorably discharged soldier and veteran volunteer fireman is not entitled to presentation of charges and a hearing when he is dismissed in the interest of economy and because his services are not needed, and not as a mere pretext of appointing another in his place.

Appeal from final order of the Supreme Court directing that a peremptory writ of mandamus issue to appellant directing him to reinstate the relator.

Robert Shaw Barlow, for the appellant.

W. N. Hopcroft, for the respondent.

O'BRIEN, J.: The relator was a veteran of the volunteer fire department and an honorably discharged soldier. On May 4,

1894, he was appointed engineer of stable "A" in the street cleaning department, and continued in that position till May 1, 1895, when he was discharged without a hearing. Such discharge was pursuant to a letter received from the assistant superintendent that his services were no longer needed.

The only question of fact we deem it necessary to discuss is, as to whether the cause assigned was true.

Although rated as an engineer, the relator was not performing, at the date of his discharge, the work of an engineer; there was an engine there to run but he never ran it, that work being performed by another who always ran it. The relator used to polish up the fire engine and did little odd chores.

There is some question as whether this other man was a licensed engineer or plumber, but that seems to us immaterial as he did the work of an engineer, always ran the engine and was engaged in such work before the appellant became commissioner, and, as stated, the relator never performed the duties of engineer.

The relator was discharged because "there was nothing for him to do; there was no use for his services;" and nobody was ever appointed to fill the position formerly occupied by the relator.

This evidence is not refuted, and it thus appears that having no further use for his services, which could as well be performed by others then in the service, there is no law or reason to prevent the commissioner, in the interest of economy, from exercising his undoubted right of dismissal. Nor can we find upon this record that it was a mere pretext to get rid of the relator or appoint another in his place, for no such facts appear. As to the relator's right as a veteran, to a hearing, what was said by Judge Beckman in *People ex rel. Patten v. Waring* (N. Y. L. J., Nov. 4, 1895) is opposite: "The petitioner was an employe of the department of street clearing in the city of New York as a driver. On the 16th day of June, 1895, he was discharged from his employment, and notified that his services would not be required after that date. No charges were preferred against him,

nor is it claimed that he has been guilty of any misconduct. The reason for his discharge is disclosed in a letter addressed to him by the commissioner in the following language: 'You were discharged from this department only because your services were not needed.' * * * The petitioner is a veteran of the late civil war and received an honorable discharge. * * * The ground of his discharge was not such as to bring his case within the statutory requirement, which prohibits removal except for causes shown after a hearing. * * * The statute must receive a reasonable construction, and plainly refers to that class of removals which are predicated upon the personal conduct of the employe. In such case it is obviously reasonable that the person proceeded against should be offered an opportunity for vindicating himself against charges imputing misconduct or delinquency in the performance of his duties. But where the discharge is contemplated without any imputation upon the employe, and solely on the ground of economy in the public service, it would be highly absurd to gravely notify him that he is to be removed * * * because of some rearrangement of the force of the department which renders the employment of so many men unnecessary, and to invite a discussion of this matter between the head of the department and his subordinate."

The order should be reversed and the writ should be denied, with costs.

Van Brunt, P. J.; Williams, Patterson and Ingraham, JJ., concurred.

Order reversed and writ denied, with costs.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* WILLIAM H. HART, *Relator*, *v* O. H. LA GRANGE AND OTHERS, *Commissioners of the Fire Department of the City of New York, Appellants.*

Supreme Court, Appellate Division, First Department, June, 1896.

NEW YORK FIRE COMMISSIONERS.—Cannot discharge an employe in order to appoint another in his place.—The commissioners of the fire department of the city of New York have no power to discharge an employe upon the pretense that his office is to be abolished, and to immediately thereafter assign another person to do the same work which had been done by the discharged employe; such a course is particularly objectionable where the new appointee is ineligible for the reason that he has not passed the Civil Service examination required by law.

Appeal from an order of the Supreme Court granting a peremptory writ of mandamus commanding the appellants to restore the relator to the position of clerk held and occupied by him previous to the 30th day of November, 1895.

William L. Findley, for the appellants.

R. D. Hatch, for the respondent.

PATTERSON, J.: There was abundant evidence produced in the court below to require the issuance of the peremptory writ of mandamus in this matter. The only question before the court was whether the action of the commissioners of the fire department in discharging the relator was a legitimate exercise of the power they possessed to abolish the office he held and thereby dispense with his services, or 'was a mere pretext to remove him in order that they might put some one in his place. It is manifest that the relator was discharged on the mere pretense that his office was to be abolished, and a man named McLewee was immediately assigned to do the same work that the relator had done. This man McLewee had been an employe of the fire department, filling a place which had been abolished by a resolution of the board, which resolution remained unrescinded at the time this relator was removed from his position, and it is painfully apparent that the relator was thrust aside simply for the purpose of retaining McLewee in the employment and under the pay of the board, although the place he had filled had been abolished. Not only was the alleged reason for the discharge of the relator and the retention of McLewee (who was virtually a discharged employe) a mere

sham, but McLewee was ineligible to fill the place even had the relator's office been abolished, for he had not passed the Civil Service examination required by law, and in no sense could McLewee be regarded as a transferee from one position to another.

The courts have the right to inquire into the good faith of the action of the commissioners in a case of this kind, and the order appealed from should be affirmed, with costs.

Van Brunt, P. J., Barrett, O'Brien and Ingraham, JJ., concurred.

Order affirmed with costs.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* JOHN TREGASKIS,
Appellant, v. GEORGE W. PALMER, AS COMPTROLLER OF THE CITY
OF BROOKLYN, *Respondent.*

Appellate Division, Second Department, October Term, 1896.

(9 App. Div., 252.)

MANDAMUS — RIGHT OF A VETERAN TO COMPEL AN OFFICER TO REPORT VACANCIES IN HIS DEPARTMENT — QUESTION AS TO ILLEGAL APPOINTMENTS, NOT DETERMINED BY MANDAMUS.

Upon an application for a peremptory writ of mandamus directing the comptroller of the city of Brooklyn to notify the Civil Service Commission of certain vacancies in his department, and requiring said comptroller to request from said commission a certification of names from among those graded highest, as a result of open competitive examinations, from which to fill said vacancies, the relator alleged that he was an honorably discharged Union soldier, and that he had successfully passed competitive examinations held to test the fitness of applicants for clerical positions in the Civil Service of the city of Brooklyn; that there had been twenty-five vacancies in the defendant's department on or since the 1st of January, 1885, and that if he had notified the Civil service Commission thereof, the relator would have been one of the first four to be certified by such commission to the comptroller for appointment.

The relator also alleged that the defendant had, in violation of law, filled said positions, and that the incumbents of such positions were holding them in violation of law.

Held, that the mandamus was properly refused;

That the defendant had authority to determine the number of clerks and subordinates which he required in his department; that, if a vacancy occurred, it was discretionary with him to determine whether he should fill it or leave it vacant, and that the court had no power to interfere with the exercise of such discretion;

That the act creating a preference in the relator's favor gave him no right or title to any office or position;

That the question whether any vacancies had been rightfully or wrongfully filled could not be determined in this proceeding.

Appeal by the relator, John Tregaskis, from an order of the Supreme Court, made at the Kings county special term and entered in the office of the clerk of the county of Kings on the 13th day

of May, 1896, denying his motion for a peremptory writ of mandamus directing George W. Palmer, as comptroller of the city of Brooklyn, to notify the Civil Service Commission of certain vacancies in his department, and to require said Palmer to request from said Commission a certification of names from among those graded highest, as a result of open competitive, examinations, from which to fill said vacancies.

Sylvester J. Tormey, for the appellant.

Joseph A. Burr, for the respondent.

PER CURIAM: The petition of the relator shows him to be an honorably discharged soldier, who served in the United States army during the late civil war. He has heretofore entered, and successfully passed, five different competitive examinations held to test the fitness and capability of applicants for clerical positions in the Civil Service of the city of Brooklyn. And he alleges that the defendant has not, pursuant to the laws of the State, and in obedience to the regulations of the Civil Service Commission of the city of Brooklyn, notified said Commission that there were clerical positions in his department where a vacancy existed; that twenty-five positions in said department became vacant on or since the first day of January, 1895; that if defendant had notified said Commission of these vacancies, the relator would have been one of the first four to be certified, as a result of his examination, in accordance with the Constitution of the State, its statutes and the Civil Service regulations. The petition also alleges that defendant has, in violation of law, filled the aforesaid vacancies, and that the persons are holding said positions in violation of law. Upon the allegations of the petition we think that this appeal must fail. The defendant is the head of the department of finance of the city, and has authority to determine the number of subordinates and clerks he requires in his department, and if a vacancy exists therein it is for him to determine whether he will fill the same or leave it vacant. (Charter of Brooklyn, Laws of 1888, chap. 583, tit. 3, § 2, tit. 22, § 9.) Courts have no power by mandamus to compel an officer vested with discretionary power to exercise it in a particular manner. (*People ex rel. Wooster v. Maher*,

141 N. Y. 330.) And with the exercise of it no one can interfere. (People ex rel. Drake v. Sutton, 88 Hun, 175.)

The act creating a preference in relator's favor (Laws of 1884, chap. 312, as amended by Laws of 1894, chap. 716) confers no right to the issuance of the writ. This act gives preference in appointment and damages where the relator suffers for an act wrongfully done, and also a remedy by the existing right of mandamus. But no right to a writ of mandamus existed or at present exists to interfere with the exercise of discretionary power. The preference which is given to the relator creates in him no title to any office or position. Title is only acquired by appointment, and the relator has never been appointed. Nor is there any vacancy, for the positions now existing are filled by other persons. Whether rightfully or wrongfully, cannot be inquired into in this proceeding. It is sufficient now to say that there is no vacancy to fill. In this aspect the proceeding is brought squarely within the decision in People ex rel. Hoffman v. Rupp (90 Hun, 145).

It is clear, therefore, that whatever rights the relator may possess, his remedy is not by mandamus to enforce them.

The order appealed from should, therefore, be affirmed with ten dollars costs and disbursements.

All concurred.

Order affirmed with ten dollars costs and disbursements.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* THOMAS BRADY,
Relator, v. EDWARD C. O'BRIEN AND OTHERS, AS DOCK COMMISSIONERS OF THE CITY OF NEW YORK, CONSTITUTING THE BOARD
 OF THE DEPARTMENT OF DOCKS OF THE CITY OF NEW YORK,
Respondents.

Appellate Division, First Department, October Term, 1896.

(9 App. Div. 428.)

VETERAN—DISMISSAL OF, FROM THE POSITION OF DOCKMASTER—RIGHT TO HAVE COUNSEL—CONFIDENTIAL POSITION.—The fact that the board of dock commissioners intrust a dock master with the collection of certain moneys, does not make his position a confidential one within the meaning of the Veteran Act (Chap. 877 of the Laws of 1892).

Where a person is entitled to a hearing by virtue of the provisions of the Veteran Act, he is entitled to the assistance of counsel upon the hearing.

Certiorari issued out of the Court of Common Pleas for the city and county of New York, and attested on the 3d day of October, 1895, directed to Edward C. O'Brien and others, as dock commissioners of the city of New York, constituting the board of the department of docks of the city of New York, commanding them to certify and return to the clerk of the Court of Common Pleas for the city and county of New York all their proceedings relating to the removal or dismissal of the relator, a dockmaster of the department of docks of the city of New York.

Fred'k B. House, Emanuel M. Friend and Edward Hymes, for the relator.

Theodore Connolly and Terence Farley, for the respondents.

WILLIAMS, J.: The relator was in fact a veteran sailor and was entitled to protection under the Veteran Act, so-called, the latest amendment to which is chapter 577, Laws of 1892. Various questions are raised in behalf of the respondents upon this hearing as to the relator's right to such protection. It is said that it does not appear that the fact that the relator was a veteran sailor was brought to the attention of the respondents before the dismissal. This claim is met and disposed of by the language used in the dismissal itself: "Whereas, Thomas Brady, dock master, having been duly cited, in accordance with the provision of chap. 577 of the Laws of 1892, to appear before the board this day and show cause why he should not be removed for inefficiency and neglect of duty," etc., etc.

Certainly, if the respondents cited the relator to the hearing in pursuance of the Veteran Act, we may assume that they knew he was a veteran, and regarded him as entitled to protection under the act to a hearing and cause shown, before he could be dismissed.

It is said that it does not appear that the relator was holding the position of dockmaster by appointment, or was receiving a salary from the city and county of New York, or that he was appointed for an indefinite time. No such questions were suggested at the hearing or before the dismissal, and it is rather late to argue them now.

We may assume that the facts suggested did exist, and if any objection had been raised on the hearing, based upon such suggestions, the relator would have supplied the necessary proofs. The respondents were well aware of the manner in which the relator came into the position, for what time his appointment was made, and how his services were compensated, whether by salary or otherwise. They assumed that he was within the terms of the statute, and, pursuant to its provisions, cited him to a hearing, and a hearing was had resulting in his dismissal. The respondents must, therefore, be held to be precluded from raising these questions upon this hearing. And, finally, it is said that the relator was not within the provisions of the statute, nor entitled to its protection, because he was a person holding a confidential relation to the respondents who appointed him.

The return states that he held a confidential relation to the respondents, in that, in his capacity as dockmaster, he was intrusted with the collection of various sums of money. This suggestion appears to have been an afterthought on the part of the respondents. If, at the time of the citation, hearing and dismissal, they had regarded their relations with the relator as confidential, within the provisions of the statute, they would not have taken the trouble to cite him and give him a hearing, in pursuance of the statute, before they dismissed him. The return does not state, in general unqualified terms, that the relations between the parties were confidential, but specifies to what extent the confidence existed.

The facts are thus stated, from which the conclusion that the relations were confidential, cannot properly be drawn. We are not, therefore, precluded by the language of the return from holding, as we must do, that the relation of the relator to the respondents was not a confidential one within the intent of the statute. The mere fact that, in his capacity as dockmaster, the relator was intrusted with the collection of various sums of money, did not constitute the relation of confidence intended by the Legislature in the passage of this statute. The term evidently referred to intimate personal relations between the parties and not to a mere

fiduciary relation, created solely by the relator's being intrusted, by virtue of his position, with the collection of moneys.

We conclude, therefore, that the relator was within the provisions of the Veteran Act and entitled to the protection provided thereby. He was entitled to a hearing, and to have cause shown upon such hearing, before he could be legally dismissed from office. He did not have such a hearing as he was entitled to under the statute. He was denied the right to the assistance of legal counsel, to which he was concededly entitled. The respondents' counsel did not deny, but on the argument admitted, that the relator was entitled to the aid of counsel, and that, if he was entitled to the protection of the Veteran Act, it was error to refuse him this right. This was an error for which the determination of the respondents must be annulled. It may be said further, without a full discussion of the question, that the proofs given on the hearing entirely failed to establish the charge of inefficiency and neglect of duty for which the relator was dismissed. No cause for his dismissal was shown upon the hearing, and for this reason the dismissal was improper and should be annulled. There was no claim made on the hearing that he had misappropriated any money. The transaction as to the check received by the relator was, at most, a formal error, not involving intentional wrong, and grew out of the form in which the check was drawn, which was not usual, but an exceptional case, and was no cause for the dismissal of the relator.

Our conclusion is that the determination of the respondents should be annulled and the relator restored to the position from which he was dismissed, with costs.

Van Brunt, P. J., Barret, Rumsey and Patterson, J. J., concurred.

Proceedings annulled and relator reinstated, with costs.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* MICHAEL REYNOLDS, *Respondent*, v. FRANK SQUIER, AS COMMISSIONER OF THE DEPARTMENT OF PARKS OF THE CITY OF BROOKLYN, *Appellant*.
Appellate Division, Second Department, December Term, 1896.

(10 App. Div., 415.)

A VETERAN, A CITY EMPLOYEE, DISABLED—HE SHOULD INFORM THE HEAD OF THE DEPARTMENT OF HIS INJURY AND OF HIS INTENTION TO RETURN TO WORK—A DISCHARGE IS PROPER WHEN THERE IS NO WORK.—Where a veteran employed as a painter in the department of parks of the city of Brooklyn, is injured to such an extent that he cannot perform the duties to which he has been assigned, he must, if he desires to retain his position, notify the commissioner, not only of the fact of his injury, but also of his intention to return to his work upon his recovery.

It is not sufficient that the veteran give notice of the injury to his immediate superior or foreman.

There is no statute which prevents the discharge of a veteran, where the same is made in good faith and because of lack of work for him to do.

Appeal by the defendant, Frank Squier, as commissioner of the department of parks of the city of Brooklyn, from an order of the Supreme Court, made at the Kings County Special Term and entered in the office of the clerk of the county of Kings on the 29th day of June, 1896, upon the verdict of a jury rendered after a trial at a trial term of the Supreme Court held in and for the county of Kings, directing that a peremptory writ of mandamus issue to the appellant requiring him to reinstate the relator as a painter in the department of parks of the city of Brooklyn, and also from an order entered in said clerk's office on the 24th day of September, 1896, denying the defendant's motion to set aside the verdict of the jury and for a new trial made upon the minutes.

Alexander H. Van Cott, for the appellant.

Horace Graves, for the respondent.

BROWN, P. J.: The relator who is an honorably discharged Union soldier, was appointed as a painter in the department of parks on December 12, 1889, but not for a definite term, and continued in its employment until the accident herein referred to took place. On the 29th day of April, 1894, while going into his own house, in the night time, he fell and broke his arm. He was thereafter unable to work until June 16, 1894, when he applied to the appellant for reinstatement and was refused.

The order appealed from directs that a peremptory writ of mandamus issue to the appellant, commanding him to reinstate the relator as a painter in said department, and permit him to render service as such painter. In the petition for the writ the relator alleged that when he broke his arm he caused notice thereof to be duly served on the foreman under whom he served, who, as the relator was informed and believed, caused said notice to be brought to the attention of the commissioner of the park department. This statement was denied in the affidavits read in opposition to the motion for a mandamus, and thereupon an alternative writ contained the following recital and allegation of facts, upon which the relator claimed the right to be reinstated:

"At the time he became injured, as aforesaid, he sent to the foreman in said department, under whom he served and received orders, due notice thereof, and also notified said foreman, William Hand, that he would be unable to be at work as usual. This notification, made on the following day, namely, Monday, 30th April, 1894, was conveyed by said foreman to the further attention of the department, as said Michael Reynolds was informed and believes.

"That at the date of his said injuries the work that was performed in said department of the nature of petitioner's was sufficient to need the employment of about twelve painters besides the petitioner, and the necessity for the services of such painters for such work was evident from the fact that many were continued until a recent date and up to the time that he placed the protection of his rights in the hands of his present attorney. That in thus curtailing the employment of or transferring to other mechanic lists, the names of such painters, a lack of good faith has been evinced by said department.

"That he is able and willing to render faithful and competent service in his said position and employment; has so performed his duties thereof, and was never dismissed therefrom or suspended, except in manner as afore stated, and never for cause after a hearing had.

"That said Commissioner well knew petitioner was and is a veteran soldier, claiming and having claimed preference in employment over other persons not possessing veteran privileges, and who, at the time of the refusal of his demand for restoration to his position, were retained as painters in said department and given preference over him, to wit: Jeremiah Morris, William Hand, William Goodhue and George Slane. Said Slane was employed as a painter, was put to work as such and worked with said Michael Reynolds as such up to the time of his sickness, as aforesaid, in April, 1894. That two of said painters are still retained, one of whom is not a Union soldier, sailor or marine of the late civil war."

These allegations were denied by the appellant in his return to the writ. Thereupon there was a trial at the circuit and the jury were instructed to answer two questions: "1. Was the relator so injured as to disable him from performing the duties and services incident to his employment, and did he inform the respondent of the same within a reasonable time? 2. Did the relator voluntarily abandon his employment by the city?"

The first question was answered in the affirmative and the second in the negative, and thereupon a peremptory writ was issued, as hereinbefore stated, pursuant to chapter 716, Laws of 1894, which, in substance, provides that honorably-discharged soldiers and sailors shall be preferred for appointment and employment in all public departments of the cities of the State, and shall be removed only for incompetency.

There was no testimony in the case that the relator ever informed the commissioner of parks that he had been injured and was unable to perform his duties. The testimony was that one William Hand, who was the man from whom the relator received his orders in relation to his work, informed a Mr. Brady, who was Hand's superior officer, that Reynolds had been injured, and that Brady replied that he had heard all about it. But there is no evidence of any kind to show that this information was given to the commissioner.

It is not sufficient, we think, to entitle the relator to keep his position, to merely send word to the appellant that he had been injured. He should have notified the commissioner of his intention to return to his work when he should recover from his injury. But nothing of this character was done. The most serious difficulty, however, in the way of the relator's reinstatement, we think, is that it does not appear that there was any work for him to do when he applied for employment in the month of June. It is not even alleged in the petition that there was work for him to do. The allegation is that at the date of his said injuries the work in the department was such as to require twelve painters besides the relator. But it was alleged that some of the employes had been discharged for lack of work after the accident to the relator, and that by such curtailment of employment a lack of good faith was evinced by the department. Just what was intended by the last allegation is not apparent, unless it had reference to the retention by the department in its employment of one George Slane, who, it was alleged by the relator, was not a Union soldier. Slane, however, was called as a witness by the relator, and it did not appear that he was not a veteran, or that he was not as much entitled to be retained in the employment of the department as the relator.

Undoubtedly the commissioner had the right to reduce his force of workmen whenever in his judgment the public interest demanded that course, and the preference in employment which is given to veteran soldiers by the statute of the State does not preclude their discharge when made in good faith and for lack of work for them to do. It is not claimed that any person has been appointed in the relator's place, and it was, we think, therefore, incumbent upon him to show that, at the time of his application for reinstatement in the month of June, there was need of his services in the department and work which was required to be done and which he could do.

As there was no proof of these facts we think he failed to

make out a case entitling him to be reinstated, and the orders appealed from should be reversed, with costs, and the proceeding dismissed.

All concurred, except Hatch, J., who concurred in the last ground stated in the opinion, and Bartlett, J., who did not vote.

Orders appealed from reversed and proceedings dismissed, with costs.

THE PEOPLE OF THE STATE OF NEW YORK, *ex rel.* JOHN J. O'BRIEN,
Appellant, v. S. VAN RENSSELAER CRUGER AND OTHERS, CONSTITUTING THE BOARD OF PARK COMMISSIONERS FOR THE CITY OF NEW YORK, *Respondents*.

(Appellate Division, First Department, December Term, 1896.)

(12 App. Div., 538.)

VETERAN.—When discharged without a hearing, a veteran must demand it before applying for a mandamus—allegations on information and belief, not proof of the facts alleged—on an application for a peremptory mandamus the allegations in opposing papers are presumed to be true.

It is the general rule that before a writ of mandamus will be issued the applicant must show a demand and a refusal, either in express terms or by conduct from which such refusal can be implied; but where the duty, the performance of which is sought to be compelled, is public, the rule does not apply.

An employe of the board of park commissioners of the city of New York who, as a veteran, is entitled to a hearing before he can be discharged from such employment, must, where it does not appear that such board has notice that he is a veteran, make a demand for a hearing before he is entitled to apply for a mandamus to compel it. WILLIAMS, J., dissented.

It seems, that an allegation on information and belief, where no grounds for the information and belief are stated, contained in an affidavit used on an application for a mandamus, is no proof of the fact alleged.

In determining whether an applicant is entitled to a peremptory writ of mandamus, the court must disregard any averments contained in his papers which are denied in the opposing affidavits, and assume the facts set out in the latter to be true.

Appeal by the relator, John J. O'Brien, from an order of the Supreme Court, made at the New York Special Term and entered in the office of the clerk of the county of New York on the 7th day of August, 1896, denying his motion for a peremptory writ of mandamus to compel the respondents, as park commissioners, to reinstate him in the position of "teamster with team," from which he had been removed.

Frank H. Knight, for the appellant.

Terence Farley, for the respondents.

RUMSEY, J.: On the 18th day of April, 1896, the relator was appointed to the position of teamster with team, in the employ of the park commission, from which position he was removed on the 30th of May, 1896, without any hearing being had on notice to him upon charges made. He made this motion for a writ of mandamus, which was denied at the Special Term, and he now appeals from the order denying his motion. Where one moves upon notice of motion for a peremptory mandamus he is entitled to it only when there is no conflict of fact in the papers presented to the court on the hearing. The Code provides that a peremptory writ of mandamus can be issued upon motion only where the applicant's right depends upon questions of law. (Code Civ. Proc. section 2070.) In considering, therefore, whether the applicant here is entitled to a peremptory writ of mandamus, any averments contained in his papers which are denied in the opposing affidavits must be disregarded and the facts set out in those affidavits must be assumed to be true. (In re Haebler v. New York Produce Exchange, 149 N. Y. 414; People ex rel. Thompson v. Brookfield, 6 App. Div. 398.)

It is not contradicted that the relator is a veteran. He says in his moving papers that at the time of his application for appointment he stated to one of the commissioners, to whom he made the application, that he was a veteran, and that fact is not denied. He further states in his moving affidavits, upon information and belief, that there is kept upon the records of the board of park commissioners a list of all the employes of the department of public works who are veterans, and that the fact that he was an honorably discharged sailor was known to the board of park commissioners of the city of New York. This fact is stated solely upon information and belief, and the sources of the information and the grounds of belief are not stated, so that the allegation itself amounts to nothing as proof of the assertions which are said to be believed by the applicant. (Buell v. Van Camp, 119 N. Y. 160, 165.) There is no other proof in the moving papers from which it could be inferred that it was known to the park commissioners that this man was a veteran. The affidavit of the

respondents alleges that it does not appear upon the records or from any information which had been furnished by the relator, that he was a veteran. So, in the decision of this case, it must be borne in mind that although the relator was a veteran, the fact had not been made to appear to the respondents so that it had been entered upon their records. At the time O'Brien was appointed he was not within the provisions of the Veteran Act, and there was no reason why the fact that he was a veteran should have been made to appear, because the position which he had was not one which would have entitled him to a hearing before discharge. The act which entitled him to the privileges of a veteran only became a law nine days before his removal, and it is not at all likely, in view of the delay which always exists in publishing statutes, that anybody was aware of the existence of this act at the time when the relator was discharged on the thirtieth of May, nine days after its passage. But the respondents were bound by it, of course, whether they knew anything of it or not, and the only question is whether, upon the facts which it appears were then known to them, it was their duty to have given to this man the privileges of a veteran to which he would have been entitled if that fact had been made known to them. It did not appear upon their records. There is no proof that any one of them had been informed of it except Commissioner Mc-Millan, and there is no proof that he was ever informed of it in such a way as to bring it to the notice of the board, or that they in fact did have notice of it. If they had no notice that this man was a veteran, they were not in default for failing to give him the privileges of one until, at least, he had brought the fact to their notice and demanded the hearing which the law entitled him to. The respondents say that no such demand was ever made upon them, and that statement in their opposing affidavit must be assumed to be true. The question is then presented whether it was the duty of the relator to inform the park commissioners of his standing as a veteran and of his right to a hearing and to demand such a hearing before he would be entitled to a writ of mandamus to enforce that right. We are of the opin-

ion that he was bound to make such a demand, and that until he had made it and been refused, he was not entitled to a peremptory writ of mandamus to restore him to the position from which he had been removed. It is well settled that previous to the making of an application to the court for a writ of mandamus to compel the performance of an official act, a demand must be made by the applicant upon the officer that he do the act which it is sought to compel him to perform, and the respondent must have refused to comply with the demand, either in distinct terms, or by conduct from which a refusal can be implied, because it is due to the defendant to have the option of doing the act before an application shall be made to the court to compel him to do it. (United States v. Boutwell, 17 Wall, 604; 14 Am. & Eng. Ency. of Law, 106; High on Extr. Leg. Rem. sections 13, 41.) While this is the general rule, yet there is undoubtedly an exception to it in cases where the duty to be performed is public in its nature. In such a case, the duty being public, it is not the business of any particular person to demand that it shall be performed, and if the officer has neglected to perform it when he should, the writ may issue without any previous demand and refusal. This distinction is recognized by the text writers and the authorities, and it was the express ground upon which the writ was issued without a demand in the case of *Commonwealth ex rel. Middleton v. Comrs.* (37 Penn. St. 237), and *Attorney-General v. City of Boston* (123 Mass. 460). In each of these cases the fact that the duty of the defendant was a public duty was made the ground of the exception from the rule that a demand should be made upon them to perform the duty before a writ of mandamus issued to require it. The duty which is sought to be imposed upon the defendants here is not public at all. The writ is sought simply to protect a private right, in the performance of which nobody but the relator has any interest. The case is, therefore, within the general rule cited above.

But it is claimed that it is apparent from the papers that a demand and refusal would have been of no avail. There is not, however, one particle of evidence in the case from which that

could have been inferred. At the time the relator was appointed, and until nine days before his removal, it was settled law that he did not hold a position by appointment, so as to entitle him to a hearing before his removal. (*Meyers v. Mayor, etc.*, 69 Hun, 291.) There is an almost necessary presumption in this case, not only that the commissioners did not know that the relator was a veteran, but that they were in truth ignorant of the law which gave him the privilege of a hearing, and that they supposed the law remained, as it undoubtedly had been down to nine days before, and that the removal of the relator without a hearing took place solely because they were ignorant of his rights. There is no suggestion in the papers, even upon the information and belief of the applicant, that the respondents would not consider their action and give him a hearing if they were asked to do it.

It is not too much to say in such a case that the person insisting upon a private right shall make application to a public officer to give him that which the law assures him he should have, and until he does make such application he ought not to be permitted to ask the court for its compulsory writ to give him the thing which, for aught that appears, he might have obtained by the asking.

For the reason that the relator did not make this demand, which it is still in his power to make, the order denying the writ was proper and should be affirmed, with costs.

VAN BRUNT, P. J., Patterson and Ingraham, JJ., concurred; Williams, J., dissented.

Williams, J. (dissenting):

The relator was appointed April 18, 1896, and was removed May 30, 1896, without any hearing being had upon notice to the relator upon charges made.

He was an honorably discharged sailor of the navy of the United States, having enlisted March 17, 1863, as a first-class messenger boy, and having been discharged February 23, 1864. When he was appointed he informed one of the board, Commissioner McMillan, that he was a veteran. The application for the writ was made upon notice to the park board, served about July

1, 1896. The board claimed that the removal of relator was for misconduct; that the board did not know at the time of his removal that he was a veteran; that he was not entitled to protection from removal under the Veteran Laws (so called), because he did not hold a position by appointment, and did not receive a salary, but was compensated by day wages; that mandamus was not the proper remedy, and that he made no demand that the board reinstate him before applying to the court for the mandamus.

The court denied the motion, in reliance upon the cases decided under the Veteran Acts as they existed prior to 1896. There were two such acts in force at the same time, one being chapter 312, Laws of 1884, amended by chapter 716, Laws of 1894, and the other being chapter 119, Laws of 1888, amended by chapter 577, Laws of 1892. Under these acts it was held that a veteran was entitled to protection from removal only when he held his position by appointment and received a salary, and was not within the terms of the statute when he was merely an employe compensated for his services by daily wages. (*Meyers v. The Mayor*, 69 Hun, 291; *Matter of Wagner v. Collis*, 7 App. Div. 203.) But the acts of 1884 and 1894 were further amended by chapter 821, Laws of 1896, so as to include within their protection employes paid by day wages, as well as appointees who receive a salary. This amendment of 1896 became a law May 21, 1896, nine days before the relator was removed. So far as applicable here, the act as so amended reads as follows:

“Section 1. In every public department, and upon all public works of the State of New York, and of the cities, counties, towns and villages thereof * * * honorably discharged Union soldiers, sailors and marines shall be preferred for appointment, employment and promotion, * * * and no person holding a position by appointment or employment * * * and receiving a salary or per diem pay * * * who is an honorably discharged soldier, sailor or marine, having served, * * * shall be removed from such position or employment, except for incompetency or misconduct shown, after a hearing upon due notice,

upon the charge made, and with the right to such employe or appointee to a review by writ of certiorari. A refusal to allow the preference provided for in this act to any honorably discharged Union soldier, sailor or marine, or a reduction of his compensation intended to bring about a resignation, shall be deemed a misdemeanor, and such honorably discharged soldier, sailor or marine shall have a right of action therefor in any court of competent jurisdiction for damages, and also a remedy by mandamus for righting the wrong. * * *

"Section 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed."

The facts appearing in the papers before the court clearly brought the relator within the provisions of the statute, as so amended in 1896, and rendered his removal unauthorized and improper. He was entitled to a hearing upon notice, upon the charges against him, before he could be removed. The cases relied upon by the court in denying the motion were inapplicable under this amended statute. The relator was removed without any hearing whatever, and was, therefore, entitled to be reinstated in the position. The only question is as to what remedy the relator might have for such reinstatement. The statute, as amended in 1896, gives the veteran a remedy by writ of certiorari to review the action of the board in removing him, and it fails to mention the remedy by mandamus in connection with such removal. The amendment of 1894 did refer to the remedy by mandamus as an existing remedy which the veteran might have for such removal, but the amendment of 1896 changes the law in this respect, and provides that the remedy by mandamus may be had for righting certain other wrongs, viz., a refusal to allow the preference provided for in the act, and a reduction of a veteran's compensation with intent to bring about his resignation, but in this connection makes no reference to an unauthorized removal of a veteran.

Under the law as it existed prior to the amendment of 1896, this remedy was frequently used in cases of unauthorized removal, as appears by an examination of the cases, and no objec-

tion seems ever to have been raised to it. (People ex rel. Fonda v. Morton, 148 N. Y. 156; People ex rel. Connor v. Brookfield, 2 App. Div. 299; People ex rel. Brady v. Brookfield, 6 id. 445.) In these cases the writs were denied and the orders affirmed on appeal, but no question was made that the remedy by mandamus was not proper for the protection of a veteran, if he was entitled to protection at all.

The change in the statute as to this remedy, by the amendment of 1896, was peculiar, and yet, considering the language of the two amendments of 1894 and 1896, it may well be doubted if the Legislature intended, by the change in 1896, to limit the remedy of the veteran for an unauthorized removal to that of certiorari, and to deprive him of the remedy by mandamus, which was recognized by the amendment of 1894 as one then existing. We see no reason why any technical rule should be applied to deprive the veteran of this remedy which he had heretofore had, and which will as effectually protect his rights now as the remedy by certiorari. We are inclined rather to hold that this remedy is still preserved, and was properly applied in this matter. Indeed certiorari would furnish no remedy at all where there was no hearing, but a removal made without any hearing whatever.

It is, however, said that the motion was properly denied by the court because it did not appear that the respondents had, before the motion was made, been requested to restore the relator to the position from which they had removed him, and had refused to comply with such request, and that there had been a demand and refusal to perform the act sought to be enforced by the writ of mandamus.

The general rule undoubtedly is that "a demand and refusal is necessary. Previous to the making of the application to the court for the writ to command the performance of a particular act, an express and distinct command or request to perform it must be made by the prosecutor to the defendant, who must have refused to comply with such demand, either in direct terms or by conduct from which a refusal can be conclusively implied, it be-

ing due to the defendant to have the option of either doing or refusing to do that which is required of him before an application shall be made to the court for the purpose of compelling him." (14 Am. & Eng. Ency. of Law, 106.)

This rule is not universal, however. There are exceptions to it. The application of this rule here would be merely technical, and could serve no good purpose. The reason of this rule is that a request or demand might be followed by a compliance with rather than a refusal of the request or demand, and the expense and trouble of the application to the court would then be rendered unnecessary. There is no such reason apparent in this matter, and the denial of the motion was not put upon any such ground by the learned judge before whom the motion was made. The respondents were charged with knowledge of the amendment of 1896 to the Veteran Act. It is not disputed that one of the respondents was informed at the time the relator was appointed that he was a veteran, and yet they removed and discharged him contrary to the provisions of the statute, and they have ever since strenuously resisted his efforts to obtain a reinstatement and are still doing so. Whether he was properly removed, and whether he is entitled to be reinstated is, upon the conceded facts, a matter of law and not of fact. The respondents expressed their judgment as to the law when they removed him, and having performed the act which they then claimed and now claim they had a legal right to perform, it would have been an idle ceremony for the relator to request and demand that they reverse their action and reinstate him in his position before the commencement of this proceeding to compel such reinstatement. It has frequently been held that a mandamus may be issued without an express demand and refusal when it clearly appears that the party did not intend to perform the act the performance of which is sought to be enforced.

In *Palmer v. Stacy* (44 Iowa, 340) the plaintiff was the owner of a judgment against the town. There was no property of the town subject to execution, and the officers of the town neglected to take any steps to raise the money to pay the judgment. It

was held that a mandamus should be issued requiring the officers to levy the tax, raise the money and pay the judgment, and that no demand was necessary, the record clearly showing the intention on the part of the officers not to levy the tax, which was enough to authorize the issuance of the writ.

In *Com. ex. rel. Middleton v. The Commissioners* (37 Penn. St. 237) the relator held bonds issued by the county, upon which the interest remained unpaid, and a mandamus was issued to compel the commissioners to levy a tax for the payment of such interest. It was held that no demand of and refusal by the commissioners to perform this duty, before issuing the writ, was necessary, because it was the neglect of an official duty, and it appeared that they did not intend to perform that duty.

In *Attorney-General v. City of Boston* (123 Mass. 460) a mandamus was issued to compel the city to continue to collect tolls upon a ferry. There was no request or refusal, but the court held that it was unnecessary, the city having distinctly manifested its intention not to perform a definite public duty required of it by law. Other cases might be cited, but these are sufficient to illustrate the exceptions to the general rule, so far as they are material to the inquiry we are here pursuing. When a request and refusal, before applying to the court for a mandamus, would be a mere idle ceremony, it is not a prerequisite. Here the respondents had, as clearly as they could possibly do, indicated their intention to remove the relator from his position and keep him out. The statute of 1896 was clear. The duty of the respondents under it, in view of the fact that the relator was a veteran and entitled to the protection of this statute, to give him a hearing upon notice as to the charges before removing him, was clear, and yet they removed him without any hearing at all, and thus clearly indicated their intention to disregard the law and not comply with their duty under it.

For the reasons herein suggested the order appealed from was wrong and should be reversed, without costs to the appellant, and the motion be granted, with costs.

Order affirmed, with costs.

THE PEOPLE OF THE STATE OF NEW YORK, *ex rel.* JOHN B. VAN PETTEN, *Respondent*, v. WILLARD A. COBB AND OTHERS, CONSTITUTING THE NEW YORK CIVIL SERVICE COMMISSION, *Appellants*.

(Third Department, January Term, 1897.)

(13 App. Div., 56.)

CIVIL SERVICE—STRIKING A NAME FROM THE LIST OF ELIGIBLES, IMPROPER—MANDAMUS.—

No power is conferred by the Civil Service Act (Chap. 354 of the Laws of 1883) or elsewhere upon the New York Civil Service Commission to strike from the list of eligibles, on account of his advanced age and feeble physical condition, the name of a veteran of the civil war, who has been duly and regularly examined and placed on the list. The fact that on his examination the commission chose to rely upon the certificate of the applicant's physician, and not upon its own examination, as to his physical condition, has no bearing upon the question. The statute contemplates as the remedy for any mistake in the name being placed on the eligible list, the probationary appointment. In any event the name cannot be taken from the list without action of the commission, met as a body to determine as to his eligibility. The applicant's remedy for the improper removal of his name is by mandamus.

Appeal by the defendants, Willard A. Cobb and others, constituting the New York Civil Service Commission, from an order of the Supreme Court, made at the Albany Special Term and entered in the office of the clerk of the county of Albany on the 11th day of November, 1896, directing the issuance of a peremptory writ of mandamus requiring them to place the name of the relator on the list of persons eligible to be appointed as special agents under chapter 112 of the Laws of 1896.

T. E. Hancock, Attorney-General (G. D. B. Hasbrouck of counsel), for appellants.

Thompson & Andrews (Arthur L. Andrews of counsel) for respondent.

PUTNAM, J.: The New York Civil Service Commission appeal from an order granted at Special Term, directing that a peremptory writ of mandamus issue requiring it to restore the name of the relator, John B. Van Petten, to the list of persons eligible to be appointed as special agent under the "Liquor Tax Law."

On June 20, 1896, a notice having been duly given that an examination for applicants for appointment as special agents under the "Liquor Tax Law" would take place before the Civil Service Commission at Albany, Van Petten, an honorably discharged Union soldier, applied for entrance to the examination, at the same time filing a certificate of honorable discharge, and

furnishing, as required by the civil service rules, the certificate of a physician and of three reputable citizens as to his physical ability, good character, etc. An examination was held on the 24th day of June, 1896. On the 22d day of July, relator received notice that he had passed the examination and stood number two on the list of persons eligible to be appointed special agents in the third judicial district of the State. On or about the 18th day of September, the Commission removed the name of relator from the said list. No notice was given to him that any objection was made to the retention of his name upon the list of eligibles, or that any action was to be taken looking toward its removal, and he did not know until he received a communication from the secretary of the Commission on September 28, 1896, that such action was to be taken, or was contemplated. On the hearing in the court below affidavits of Mr. Lyman, the State Commissioner of Excise, and Mr. Angle, the secretary of the Commission, were read to the effect that Mr. Van Petten, by reason of his advanced age and feeble physical condition, resulting in lameness and general decrepitude, was physically disqualified from performing the duties of special agent under the "Liquor Tax Law."

It is provided by section 9, article V of the Constitution, that "appointments and promotions in the civil service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. Laws shall be made to provide for the enforcement of this section." And by section 1, chapter 821, Laws of 1896, it is provided that "in every public department and upon all public works of the State of New York, and of the cities, counties, towns and villages

thereof, and also in noncompetitive examinations under the civil service rules, laws or regulations of the same, wherever they apply, honorably discharged Union soldiers, sailors and marines shall be preferred for appointment, employment and promotion; age, loss of limb or other physical impairment which does not, in fact, incapacitate, shall not be deemed to disqualify them, provided they possess the business capacity necessary to discharge the duties of the position involved." In the matter of Keymer (148 N. Y. 219-225, Bartlett, J.), remarks in reference to the above quoted provision of the Constitution, "It seems to us clear that this section of the Constitution, read according to its letter and spirit, contemplates that in all examinations, competitive and noncompetitive, the veterans of the civil war have no preference over other citizens of the State, but when, as a result of those examinations, a list is made up from which appointments and promotions can be made, consisting of those whose merit and fitness have been duly ascertained, then the veteran is entitled to preference without regard to his standing on that list."

In response to the notice that an examination would be had for applicants for appointment as special agents under the "Liquor Tax Law" the relator having appeared before the Commissioners and having furnished the certificate of a physician and three citizens as to his physical abilities and good character, as required by the rules of the Commission, and submitted to the examination required, and having passed (the Commissioners calling for no proof of his physical condition except that furnished by the certificate of his physician), and by the decision of the Commissioners his name having been placed on the list of persons eligible for the appointment, after such examination, and finding, under the provisions of the Constitution above quoted and of section 1 of chapter 821, Laws of 1896, was entitled to a preference for the appointment of special agent under the "Liquor Tax Law."

We are unable to find any provision in the Civil Service Act (chapter 354, Laws of 1883), or elsewhere, conferring power on

the defendant to arbitrarily deprive one that it had duly and regularly examined and placed on the list of those eligible for appointment, of the right acquired by such determination. If the Commissioners make a mistake in placing on the eligible list one not qualified, the act in question affords a remedy. Section 2, subdivision 3, provides that "There shall be a period of probation before any absolute appointment or employment aforesaid" and (section 2, subdivision 8) that "Notice shall be given in writing by the appointing power to said Commission * * * of the rejection of such person after probation." Hence the statute apparently contemplates a probationary appointment as a remedy in case of an error or mistake of the Commissioners arising from an insufficient examination or otherwise, and not to an arbitrary recision by them of their former determination.

We are of the opinion that the relator, after he had appeared before the Commissioners and submitted to the examination required, and after he had been placed by them second on the list, by their determination as to his eligibility, was, under the provisions of the Constitution and statute above quoted, and the Civil Service Act of 1883, legally entitled to a preference for appointment, of which he could not be arbitrarily deprived. And this is so, although the Commissioners did not give relator a physical examination. They had the right to do so. Van Petten was properly before them and submitted to the examination they required. He was legally entitled to an examination and to the decision of the Commissioners after such examination, as to his eligibility. They chose to rely on the certificate of his physician as evidence of his physical condition. Although they placed him on the list without a proper examination as to his physical fitness, their action in the matter and their determination could not be vacated by them, at least without notice to him and an opportunity to be re-examined and heard.

It is not necessary to determine whether or not the Commissioners, on receiving the communication from the State Commissioner of Excise, referred to in the papers, could have required Van Petten to appear before them again and submit to a further

examination as to his physical condition. [It is a general rule that officers of special and limited jurisdiction cannot sit in review of their own orders, or vacate or annul them. (*People ex rel. Chase v. Wemple et al.*, 144 N. Y. 478; *Osterhoudt v. Rigney et al.*, 98 N. Y. 222.) It may be, however, that the Commissioners could have reopened the case, but no such action was taken by them.] The name of Van Petten was simply struck off from the list without notice to him or without giving him an opportunity to show his physical fitness for the office. By the action of the Commissioners the relator has been not only deprived of the preference to which he became entitled as the result of the examination had and the placing of his name second on the list of eligibles, but he has, in fact, been deprived of the right of an examination as to his fitness for the office in question, to which he was justly entitled.

Again, the papers submitted to the court below by the appellant fail to show any proper and legal annulment by the Commission in September, of its former decision that Van Petten was eligible for appointment as special agent under the "Liquor Tax Law." As above suggested, we think the Commission could not vacate its former action without giving Van Petten a right to be heard in the matter. It could not deprive him of the right of examination. Before it could legally determine in September that he was physically unfit for the office in question, it was compelled to give him a physical examination. But if we are in error in this view, it was at least necessary for the members of the Commission, before they could annul their former action, to meet as a body and to determine that the relator was physically ineligible to the office in question. The papers presented to the court below fail to show any such action on their part. It is true that Mr. Lyman, State Commissioner of Excise, and Mr. Angle, secretary of the Civil Service Commission, made affidavits that Van Petten was physically disqualified from holding the office of special agent under the "Liquor Tax Law." It was not shown, however, that the Commission as a body, ever met and determined the question as to his physical eligibility. As far as

the evidence shows, the Commission having met in July and placed the name of Van Petten on the list, afterwards, without notice, without an examination, without giving him an opportunity to be heard, and without any legal action on their own part to vacate their former determination, arbitrarily removed his name from among those eligible to appointment to the office in question.

We are of the opinion that a peremptory writ of mandamus was properly issued. On the undisputed facts, the act of appellant in removing the name of relator from the list of eligibles, was unauthorized. Also the writ was properly directed to the Civil Service Commission. It examined the relator and placed his name on the list of those eligible to appointment, and afterwards unlawfully removed his name therefrom.

Order affirmed, with costs and disbursements.

Parker, Herrick and Merwin, JJ., concurred.

I concur in result and in so much of the opinion as supports the order appealed from. J. S. Landon.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* JAMES M. MERRITT, Appellant, v. NEW YORK CITY CIVIL SERVICE BOARD AND OTHERS, Respondents.

Appellate Division, First Department, January Term, 1897.

(13 App. Div., 309.)

VETERAN.—Failure to place his name on the eligible list — Names to be taken in their order on the list — Mandamus — Only the relief asked for can be given.

Where a person, who is a veteran, has passed the Civil Service examination, a neglect to do the mere clerical act of inscribing his name upon the eligible list will not prejudice his right to an appointment to which he is otherwise entitled.

A Civil Service board must certify persons eligible to fill vacancies in the proper order of applicants upon the eligible list, and they cannot arbitrarily determine that they will exhaust all the names contained upon one list before they take up another.

Where an eligible person claims, upon a motion for a peremptory writ of mandamus, that he should have been certified in May as eligible to and entitled to fill a vacancy, and it appears that there was a sufficient number of other veterans entitled to a preference over him to prevent his having been so certified in May, he cannot change his position and claim that some of these other veterans had not passed the Civil Service examination, or had failed to appear, or had been appointed to other positions, so that he would have been certified upon a subsequent requisition made in June, had the board adopted the proper rule.

Appeal by the relator, James M. Merritt, from an order of the Supreme Court, made at the New York Special Term, bearing date the — day of October, 1896, and entered in the office of the clerk of the county of New York denying his motion for a *péremptory* writ of mandamus.

Joseph A. Flannery and Edward H. Hawke, Jr., for the appellant.

Robert C. Beatty, for the respondents.

RUMSEY, J.: It appears from the affidavit of the relator, upon which this application is based, that in the month of January, 1896, he applied to the labor clerk of the New York Civil Service Board for the purpose of being registered for the position of carpenter in the department of public parks. He passed an examination and became entitled to be put upon the eligible list, as it is called. He was a veteran of the late war, having a family to support, and, under the provisions of the Constitution, he became entitled to be certified for appointment to a vacancy before any other person who was not a veteran. But the rule required that the certificates should be made from those whose names were upon the eligible list. As a matter of fact, although the relator was entitled to be named upon that list, his name had not actually been put there, and it is claimed by the respondents that for that reason he was not entitled to be certified. But this is a matter of no importance. The mere clerical act of inscribing his name upon the eligible list in the proper place is a thing to be done by the labor clerk just as soon as the qualifications of the relator had been ascertained. From that time he was entitled to be treated as though his name had actually been where it was the duty of the labor clerk to put it. He could not for that reason be deprived of any of his rights, merely because the officer of the respondents had failed to do the duty which he was called upon to do, and this application must be decided precisely as though Merritt's name had been upon the eligible list, where it was entitled to be.

It further appears from the affidavit of the appellant that in the early part of May, 1896, a requisition had been made upon the Civil Service Board for the names of six persons to fill four vacan-

cies in the position of carpenter. There were certified the names of six persons who were not veterans. Shortly before that time, as it appears, the names of persons for the position of carpenter had been certified from Schedule F, but previous to the making of the requisition in question, the board had determined to thereafter place all such names upon Schedule G. Certifications, however, were made from Schedule F of persons not veterans although the names of persons who were veterans were upon Schedule G, because of the decision of the board to exhaust the names upon Schedule F before any upon Schedule G had been taken up.

It has been determined by this court, in the case of *The People ex rel. Carroll v. The New York City Civil Service Board* (5 App. Div. 164), that such determination was erroneous, and that certifications must be made in the proper order of applicants upon the eligible list. If that were all there were of this case, it would be precisely within the *Carroll* case, just cited, and the relator would undoubtedly have been entitled to a writ of mandamus. But a writ will not be issued to enforce a private right unless it appears that the relator is entitled to the relief which he seeks to obtain by means of the writ. (High on Ex. Leg. Rem. section 9.)

It appears from the testimony of Mr. Briscoe, the secretary of the board, that under no circumstances would the relator have been entitled to be certified in May, even had the certificates been made as required by the decision of this court in the *Carroll* case. Six names were certified. It appears that there were upon Schedule G, at that time, the names of eleven veterans, with families, who, according to the rules of the department, were first entitled to be certified, and that if Merritt's name had been put upon the eligible list it would have been number twelve, so that, had the certificate been made from the proper list, pursuant to the rule laid down by this court, yet, nevertheless, Merritt would not have been certified, because he was so low down on the list that his name would not have been reached.

It is said, however, by the relator, and made to appear by the affidavit of his attorney, that of these eleven veterans whose names were upon Schedule G, several had not passed the examination,

or had failed to appear, or had been appointed to other positions, so that Merritt would have been certified upon a subsequent requisition in June had the board adopted the proper rule.

But no allegation was made by Merritt, at the time of the commencement of these proceedings, that he should have been certified in June. The complaint was that he should have been certified in May, and it appears affirmatively that all of these names were upon the roll in May and were entitled to certification, so that under no circumstances could Merritt's name have been certified at that time. Had he made complaint that his name would have been certified in June, it may be that the respondents would have stated facts showing that he was not entitled to be certified at that time. He is only entitled in this proceeding to a writ of mandamus in case he makes it appear that he was deprived in May of a right to which he was then entitled. But in that he has wholly failed, and for that reason the order of the Special Term refusing the writ of mandamus must be affirmed, but, under the circumstances, without costs.

Van Brunt, P. J., Barrett, O'Brien and Ingraham, JJ., concurred.

Order affirmed, without costs.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* PETER D. TRAPHAGEN, *Relator*, v. DAVID H. KING, JR., AND OTHERS, COMPOSING THE BOARD OF THE DEPARTMENT OF PUBLIC PARKS OF THE CITY OF NEW YORK, *Respondents*.

(Appellate Division, First Department, January Term, 1897.)

(13 App. Div., 400.)

CERTIORARI to review a determination—Statute of Limitations—Office abolished as unnecessary—An exempt volunteer fireman of the city of New York discharged because thereof.

It seems, that a proceeding taken by a writ of certiorari attested on the 3d of September, 1895, to review a determination of the board of the department of public parks of the city of New York, which became final and binding on the 30th day of April, 1895, is barred by section 2125 of the Code of Civil Procedure.

Where the foreman of carpenters in the department of public parks of the city of New York is discharged because the superintendent of parks in that city has recommended to the board of such department that, in view of a "reduction of the mechanical force," the office be abolished, and where no other person has been appointed to the position, its duties having been subsequently performed by two other employees, it must be considered that the position of foreman was abolished for good and sufficient reasons, and although a member of the volunteer fire department of the city of New York, he is not entitled under section 577 of the Laws of 1892 to demand that he be reinstated.

Certiorari issued out of the Supreme Court and attested on the 3d day of September, 1895, directed to David H. King, Jr., and others, composing the board of the department of public parks of the city of New York, commanding them to certify and return to the office of the clerk of the county of New York, all and singular, their proceedings relating to the discharge of the relator from the position of foreman of carpenters in the department of public works of the city of New York.

Charles Blandy and Lewis C. Freeman, for the relator.

Terence Farley, for the respondents.

INGRAHAM, J.: The point is taken by the counsel for the corporation that this proceeding is barred by the statute of limitations, under section 2125 of the Code, the determination of the respondents having become final and binding on the 30th day of April, 1895, and this writ of certiorari not having been allowed until the 3d day of September, 1895. This provision would seem to be a complete bar to the right of the relator to maintain this proceeding. (See *People ex rel. Cook v. Hildreth*, 126 N. Y. 360.)

But, assuming that the writ had been issued in time, we think it clear that the action of the respondents was valid, and that the writ should be dismissed.

The relator was employed by the department of public parks as foreman of carpenters, receiving a salary of \$120 per month. On the 29th day of April, 1895, the superintendent of parks made a report to the president in which he said that: "Owing to the reduction of the mechanical force, I desire to recommend the abolition of the following offices and the discharge of those persons now holding the same." By the return it appears that, when this communication was received by the president, he consulted with the respondents and had an executive meeting of the board, at which all the respondents were present, as to the advisability and expediency of adopting the recommendation of the superintendent, and that full power was conferred upon the president by the board to act in the premises. Acting upon this authority, the president approved the recommendation of the

superintendent, abolished the offices and discharged the persons holding the same; and, as the result of such official action, the superintendent of parks notified the relator that he was discharged. The relator claims that this discharge was invalid because he was a member of the volunteer fire department of the city of New York, and was such at the disbandment of such department; and that, in consequence thereof, and under the provisions of chapter 577 of the Laws of 1892, he could not be removed from such position except for cause shown after a hearing had. Here both the return and the supplemental return allege that the office filled by the relator having become unnecessary, "owing to the reduction of the mechanical force," the office was abolished. This office, as before stated, was that of foreman of carpenters, and it is quite evident that the question as to whether or not this office was necessary depended upon the number of carpenters employed. The return certifies that, owing to the reduction of the mechanical force and the closing of the repair shops of the department, it would have been unprofitable to the city of New York to retain a foreman in charge of the small number of mechanics left in the carpenters' gang, as their work could readily be directed by the superintendent and senior foreman. The determination of the respondents, that the small number of carpenters then employed did not require that a foreman of carpenters should be employed, entirely justified their abolition of the office of foreman of carpenters; and, with the abolition of the office held by the relator, his right to such office ceased, unless there is something in the statute before cited that prevents the park department from dispensing with the services of an officer who has been a veteran or a fireman, no matter how unnecessary the services of such person may become.

It was held by the Court of Appeals, in the case of *People ex rel. Corrigan v. The Mayor* (149 N. Y. 225), that "while these statutes are positive in form, it is clearly not their intent to give to occupants of such positions a life tenure where, upon grounds of economy or for other proper reasons, the office or position is in good faith abolished. In *People ex rel. Wardrop v. Adams*

(22 N. Y. St. Repr. 856) it was held that an honorably-discharged veteran of the Union army might be removed for the reason that the position he occupied was abolished on economical grounds, and its duties might be attached to an existing office, which was held by a person not a veteran, and that such a removal was not in violation of the statutes relating to veterans of the war of the rebellion holding positions in the city of Brooklyn." The relator claims that while the office was in name abolished, it was in reality continued and another person appointed to perform the same duties which had been performed by the relator. This position is expressly negated by the return. It is there expressly alleged that, while some of the duties, namely, those of keeping the time of the men and reporting to the superintendent or general foreman any neglect of their duties by the carpenters employed, were performed by one of the regular carpenters selected by the board, who was merely paid the ordinary wages of a carpenter, and who actually worked at his trade, no one was appointed to fill the position held by the relator or to perform the duties which he had performed. The duties performed by the foreman of carpenters, as stated in the amended return, show that it was an office of importance, requiring a man above the capacity of an ordinary carpenter, having charge of laying out and regulating the work of others; and that, to perform that duty, he was exempt from personal labor, and gave his own time and attention to the supervision of the several pieces of work on hand. The return shows that this work was subsequently performed by the superintendent and the senior foreman, St. John, who were before in the employ of the department; and the return subsequently states that, as matter of fact, no carpenter has been appointed in the department since the discharge of the relator. These facts clearly show that the position of foreman of carpenters was abolished in good faith by the department, and that no one has since been appointed to such a position.

There is some criticism upon the validity of the act of the president as not being the act of the board. This proceeding, however, is brought to review the action of the board in dis-

charging the relator. If the board never acted, there is no proceeding here for us to review; but it is quite clear from the return that the board did act, and that the action of the president in abolishing the office was in effect an act of the board which had, prior to the action, expressly instructed the president to act in the premises, and subsequent thereto had, by resolution, duly passed, ratified and approved his act.

We think, therefore, assuming that the writ was applied for in time, that the respondents did abolish the office held by the relator for good and sufficient reason, that he was thus legally discharged from such office, and that the action of the respondents should be affirmed, and the proceedings dismissed, with costs.

Van Brunt, P. J., Barrett, Rumsey and O'Brien, JJ., concurred.
Writ dismissed, with costs.

JOHN N. STEWART, *Plaintiff*, v. THE MAYOR, ALDERMEN AND COMMONALTY OF THE CITY OF NEW YORK, *Defendant*.

Appellate Division, Second Department, April Term, 1897.

(15 App Div. 548.)

CONSTITUTIONAL LAW — A MEMBER OF ASSEMBLY MAY BE APPOINTED CLERK OF A DISTRICT COURT. — Article 3 of section 7 of the Constitution of the State of New York, which provides that "No member of the Legislature shall receive any civil appointment within this State, or the Senate of the United States, from the Governor, the Governor and Senate, or from the Legislature, or from any city government, during the time for which he shall have been elected, and all such appointments and all votes given for any such member for any such office or appointment shall be void," does not render invalid an appointment, by a justice of a district court of the city of New York, of a member of Assembly to a clerkship in that court — such a justice not being an officer of the city government.

Submission of a controversy upon an agreed statement of facts, pursuant to section 1279 of the Code of Civil Procedure.

This case was transferred from the first department to the second department.

Thomas Allison, for the plaintiff.

Terence Farley and Francis M. Scott, corporation counsel, for the defendant.

HATCH, J.: By the laws of 1896 (chap. 79) there was established in the city of New York an additional civil judicial district and district court. The office thus created was filled by the appointment of Richard N. Arnow, by the Governor of the State, in pursuance of the terms of said act. Arnow duly qualified as such appointee, and entered upon the performance of the duties of the office. Thereafter, and on May 4, 1896, said Arnow, acting as such justice, duly appointed the plaintiff clerk of said court, and the latter duly qualified and entered upon the duties of such office, and has ever since continued to act as such clerk, and has performed the duties incident thereto.

At the time of said appointment of the plaintiff as such clerk he was holding the office of Member of Assembly of the State, having at the general election held in November, 1895, been duly elected such member from the First Assembly district of Westchester county for the term of one year commencing on the 1st day of January, 1896, and having duly qualified and entered upon the duties of said office. The salary attached to the office of clerk of said court is the sum of \$3,000 a year, payable by the defendant in equal monthly installments on the first day of each and every month. The plaintiff has duly presented to the comptroller of defendant his claim for salary, as the same became due and payable, and payment thereof has been refused by the said comptroller. The ground upon which such refusal is based is that the plaintiff, at the time of his appointment, was ineligible for appointment as such clerk by reason of the fact that at such time he was holding said office of Member of Assembly. The sole question, therefore, which the case presents is was the plaintiff's appointment a valid appointment. The ground of the plaintiff's ineligibility to hold the office is claimed to exist by virtue of an inhibition created by article 3, section 7 of the Constitution of the State. It reads as follows: "No member of the Legislature shall receive any civil appointment within this State, or the Senate of the United States, from the Governor, the Governor and Senate or from the Legislature, or from any city government during the time for which he shall have been elected, and all such

appointments and all votes given for any such member for any such office or appointment shall be void."

It is claimed that this section creates an absolute prohibition of appointment of a Member of Assembly to any civil office within this State. It is quite within the language of the Constitution, as well as within its spirit and intent, to say that its framers intended to differentiate between appointments which are exclusively military and those appointments which are civil. But this construction does not carry us to the length of holding that the provision absolutely excludes members of Assembly from holding by appointment a civil office. Such is not the language of the section as we read it. The prohibition is directed against his receiving any civil appointment within this State or the Senate of the United States. This is not absolute, as appears by the qualifying words which follow, for therein it is limited to appointments so received from the Governor, the Governor and Senate, or from the Legislature, or from any city government. No inhibition exists to receive any civil appointment coming from any other source than is named in the section. It is argued that these qualifying words, as used by the Constitution, refer solely to the last antecedent, which is "or the Senate of the United States." It is quite evident, however, that such construction cannot obtain and give force to the entire language of the section. So far as relates to the appointment to the Senate of the United States, if this construction were to obtain, it would be that such appointment could be made or come from the Governor and Senate. But the sufficient answer is that no appointment from such source is authorized by law. Appointments to the Senate of the United States by State authority is limited to United States Senators. But no appointment of these officers is authorized to be made by the Governor and Senate. They never act jointly upon such subject. A United States Senator is elected by the Legislature without the co-operation of the Governor, and if an appointment can be made by the Governor at any time it is made by him alone and not in conjunction with the Senate. So that the Governor and Senate can never co-operate in making

such appointment. The language, therefore, excludes the construction that the qualifying words refer solely to the last antecedent. We are, therefore, left to discover if this appointment comes from any of the prohibited sources. It is not argued that it falls within any of these, unless it be from a city government. It is settled by authority that a justice of a District Court is not an officer of a city government. (*Whitmore v. Mayor*, 5 Hun, 195; *affd. on appeal*, 67 N. Y. 21; *People ex rel. Gilchrist v. Murray*, 73 id. 535.) Consequently, the appointment cannot be said to come from that source. Curiously enough, the quoted decisions are all made to rest upon *Quin v. The Mayor, etc.*, of N. Y. (44 How. Pr. 267; *affd. on appeal*, 53 N. Y. 627). This case, however, did not decide that question, although the syllabus of the case says that it did. Judge Fancher, who wrote the opinion at Special Term, which was adopted in all the courts, makes meagre disposition of the matter in these words: "It may be questioned whether the officers thus referred to include judicial officers. The term certainly does not include State officers who derive their office from the general laws of the State and whose duties are not by law limited to the city and county of New York." And the learned judge then proceeds to dispose of the question before him upon the assumption that District Court justices were embraced within the act and places his decision upon another ground. However, the authority cited is sufficient to presently uphold the determination that such justices are not officers of a city government. (*People ex rel. Phelps v. General Sessions*, 13 Hun, 395.)

It is further argued that it was the purpose of the Constitution to disqualify legislators from being appointed to such offices as the plaintiff now holds. The Constitution of 1846 provided for this subject in article 3, section 7. As then framed, it did not embrace the language "or from any city government." These words first made their appearance in the amendment to this section of the Constitution adopted in 1874. By Laws of 1862 (chap. 484) clerks of District Courts were appointed by the board of supervisors. This remained the appointing power until 1872,

when, by chapter 438 of the laws of that year, the power of appointment was vested in the justices of these courts. In 1877 the latter act was repealed; but it was re-enacted in the following year (chap. 345, Laws of 1878). There does not seem to have been any relation between the adoption of the amendment to the Constitution in 1874 and the act which authorized the appointment of clerks by the justices of the District Courts. When this amendment was adopted, and for two years prior thereto, the appointing power was the justices themselves, and the amendment did not operate thereon at all; consequently, it could not have been aimed at them. Nor do we think that this amendment was ever intended to affect the question of the appointment of members of Assembly, except such appointment came from some one of the sources therein mentioned. In other words, we think, the evil which the amendment sought to remedy and prevent was the corruption of the appointing power and the Member of Assembly, rather than to exclude the Member of Assembly from participation in the Civil Service of the State; and the reason appears quite plain in the fact that between the several sources of the power of appointment mentioned in the Constitution, and a Member of Assembly, there exists a relation by which the one or the other might be influenced in their official action. The appointing power might, in consideration of a vote for a particular measure, hold out as an inducement thereto a promise of appointment to a particular office. So, on the other hand, a Member of Assembly might withhold a vote for a particular measure in order to coerce the appointing power into a compliance with his demand for civil appointment. In other words, if the power existed to give and the right existed to receive, it could be made the basis of traffic for official action, and this evidently was the evil at which the amendment was aimed. No such reason exists as applied to the appointing power in the present case. Consequently, we find no repugnance between it and the constitutional amendment referred to. It has been decided that there exists no such incompatibility between the office of a Member of Assembly and the office of a clerk of the same

character as the clerk of this court, as will prevent the holding of both offices by one person. (People ex rel. Ryan v. Green, 58 N. Y. 295; People ex rel. Gilchrist v. Murray, 73 id. 535.)

We are, therefore, of opinion that the plaintiff was eligible to appointment to this office, and that his appointment was valid. In consequence of which he becomes entitled to judgment, as provided in the submission, with costs.

All concurred.

Judgment for the plaintiff upon agreed statement of facts, with costs.

IN THE MATTER OF THE APPLICATION OF JAMES MCCLOSKEY, *Appellant*, FOR A WRIT OF MANDAMUS, v. THEODORE B. WILLIS, AS COMMISSIONER OF CITY WORKS OF THE CITY OF BROOKLYN, *Respondent*.

(Appellate Division, Second Department, April Term, 1897.)

(15 App. Div. 594.)

DISCHARGE OF PUBLIC EMPLOYEES—where the services are of the same character, a veteran should be retained in preference to another employee — alternative mandamus.

Wherever two men are employed in a public department of a city, one a veteran and the other not, and the services of only one man are required for the future, the statute makes it the duty of the superior officer to retain the veteran rather than the man who is not a veteran, where the services which have been rendered by each are of the same character.

Where a question is presented as to whether the services are of the same character an alternative writ of mandamus will issue.

Appeal by the relator, James McCloskey, from an order of the Supreme Court, made at the Kings County Special Term and entered in the office of the clerk of the county of Kings on the 9th day of February, 1897, denying his application for a writ of mandamus commanding Theodore B. Willis, the commissioner of city works of the city of Brooklyn, to reinstate him in the position theretofore held by him as foreman of the bureau of street construction and maintenance in such department.

Charles H. Hyde, for the appellant.

William G. Cooke, for the respondent.

WILLARD BARTLETT, J.: A peremptory writ of mandamus was properly refused in this case, but I think that an alternative writ should have been granted.

The proceeding was instituted to compel the commissioner of city works to give the appellant the preference to which he claims to be entitled as a Union veteran under the statute which provides that in every public department and upon all the public works of any city honorably discharged Union soldiers, sailors and marines shall be preferred for appointment, employment and promotion. (Laws of 1884, chap. 312, as amended by Laws of 1887, chap. 464, and as further amended by Laws of 1896, chap. 821.)

On May 8, 1896, the appellant, who is an honorably discharged Union soldier of the late war of the Rebellion, was appointed a foreman in the bureau of street construction and maintenance in the department of city works. In this department he had charge of a body of men known as a repair gang, whose duty consisted in making repairs upon the public streets. The term of employment does not appear to be fixed by law or otherwise, and the pay of such a foreman is four dollars a day. In November, 1896, the appellant was discharged from his position, without any hearing upon charges under the statute. In the affidavit upon which his application for the mandamus was based, he alleges that at the time he was discharged other foremen in the same employment were retained, and among them two persons who were not veterans, viz.: Thomas Gavin and William Quirk.

In the papers read in opposition to the application it was alleged in behalf of the commissioner of city works that Quirk had been practically dismissed at about the time when the appellant was discharged and had never done any work for the department since. As to Gavin, the commissioner swore, in an affidavit verified February 11, 1897, that he "is not now employed as foreman of street repairs in said city of Brooklyn, and has not been so employed since the 11th day of November, 1896, when his duties ceased as foreman of a gang of street repairers, and he entered upon the duties of foreman of a connection gang, to which he was transferred by deponent in good faith, and because he had shown ability and reliableness, on the 18th day of September, 1896, said transfer to take effect when his said duties as foreman of street repairing were finished."

This allegation indicates what is the principal question of fact as to which the parties to this proceeding are at variance. In the service of the department of city works the laborers who do work upon the streets are classified into gangs known, respectively, as repair gangs and connection gangs. The appellant, in his moving papers, alleges that the duties of both these classes of gangs are identical; whereas, the opposing affidavits, without expressly denying this allegation, contain statements of fact, the fair import of which, I think, amounts, to an averment that the duties of the repair gangs and the connection gangs are different, and that the work done by the repair gangs is only practicable during the warm season. Hence, it is contended in behalf of the respondent that the employment of the appellant was only temporary in its nature and ended with the termination of warm weather. This appears to have been the view adopted by the learned judge at Special Term.

That view would be correct, I think, if it were not for the question in the case as to the identity of the work done by the repair gangs and the connection gangs. If it be true, as alleged by the appellant, that their duties were substantially the same, he certainly was deprived of the preference intended to be bestowed by the statute, when he was discharged from the service of the department, while Gavin, who was not a veteran, was retained. The propriety of the action of the commissioner, therefore, in dismissing the appellant, depends upon the character of the employment of these two foremen. Both men being actually in the service of the city, he could not lawfully, except upon charges and after a hearing, dismiss the veteran and retain the foreman who was not a veteran, to do substantially the same kind of work.

The Matter of Sullivan (55 Hun, 285) is precisely in point.

There, the relator was an honorably discharged soldier, employed as a laborer in the department of public works and engaged in repairing and repaving streets in the city of New York. He was discharged from employment while the same kind of work remained to be done, and others, who were not veterans, had been

retained to do it. It was held that the relator was entitled to be reinstated by mandamus. If the appellant is right in his contention that the work of repair gangs and connection gangs are identical in character, his employment cannot be deemed temporary and terminable upon the arrival of cold weather, inasmuch as Gavin, nevertheless, continued to be employed, discharging the same duties, after the winter began. In this respect the present case differs from *The People ex rel. Uhrie v. Gilroy* (60 Hun, 507), where the employment of the relator as an inspector was limited to a particular purpose and in connection with a special work, and even there the court expressly said that, if he had been a general employee as inspector, he would have come within the preference of the act of 1887.

The statutory preference to which veterans are entitled would amount to very little, so far as laborers are concerned, if veterans could lawfully be discharged from the public employment at the approach of winter, while men who are not veterans could be retained in the service of the municipality doing substantially the same work. It is quite true, as stated in the opinion at Special Term, that the duty of the commissioner of city works was to discharge all men where services were no longer needed; but this duty must be exercised with reference to the command of the statute in regard to the preference to which veterans are entitled, and wherever there are two men employed in a public department, one being a veteran and the other not, and the services of only one man are required for the future, the statute makes it the duty of the superior officer who has the power of discharge or dismissal to retain the veteran rather than the man who has never been in the military or naval service of the nation. This case turns upon the question whether Gavin was, in fact, retained to perform the same sort of service which McCloskey also had been rendering, and an alternative mandamus should be awarded in order that this question may be tried and determined.

The order appealed from must be reversed and the application granted, so far as to award an alternative writ, costs to abide the event.

All concurred.

Order reversed and application granted so far as to award an alternative writ, costs to abide the event.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* MORTIMER C. EARL, *Appellant*, v. GEORGE E. ENGLAND, *Respondent*.

Appellate Division, Second Department, April Term, 1897.

(16 App. Div. 97.)

VETERANS.—Review of the laws relative to their removal from, and tenure of, office—the position of a police court clerk of Brooklyn, a veteran of the war, is not covered by them.

There are three co-existing and separate sets of statutory regulations relating to the subject of the appointment of veterans to office and their tenure of office when appointed.

The first is a local provision applicable to the city of Brooklyn alone, contained in section 1 of chapter 708 of the Laws of 1887, and, in substance, re-enacted in section 29 of title 23 of chapter 583 of the Laws of 1888, which constitutes the revised charter of that city; the second is a provision applicable generally to cities and counties of the State, and is found in chapter 119 of the Laws of 1888, as amended by chapter 577 of the Laws of 1892; the third provision relates to the public service of the State, to its public departments and the public works of its cities, towns and villages, and is contained in chapter 312 of the Laws of 1894, as amended by chapter 716 of the Laws of 1894.

By each of these separate sets of statutory regulations the removal of a veteran, except for cause, is forbidden; but only by the first two is a veteran entitled to a trial or hearing as a condition of his discharge, and all these acts relate to employees or to persons who held subordinate positions in the public service.

A clerk of a police court in the city of Brooklyn, appointed under section 14 of title 21 of chapter 583 of the Laws of 1888, authorizing the police justices of that city to appoint clerks, the appointees to serve during the pleasure of the justices, is an independent public officer and, although a veteran soldier of the late war, his office does not fall within the provisions of any of the above-mentioned statutes and his tenure of office is not made permanent by any provision of law.

Appeal by the relator, Mortimer C. Earl, from a judgment of the Supreme Court in favor of the defendant, entered in the office of the clerk of the county of Kings on the 28th day of December, 1896, upon the decision of the court rendered after a trial at a trial term of the Supreme Court held in and for the county of Kings before the court without a jury.

Luke D. Stapleton and B. F. Tracy, for the appellant.

Alfred E. Mudge, for the respondent.

CULLEN, J.: This action is brought to determine the respective titles of the relator and the defendant to the office of clerk of the Fourth District Police Court in the city of Brooklyn. The relator was appointed clerk on the 10th day of October, 1893, by William

Watson, police justice. The defendant was appointed clerk on the 1st day of May, 1896, by one Andrew Lemon, who succeeded Watson as police justice. Section 14, title 21 of the charter of the city of Brooklyn (chap. 583, Laws of 1888) creates the office of clerk, and prescribes the method of filling the office as follows: "From and after the passage of this act, the justices of the peace and police justices in said city shall each have sole power to appoint a clerk of their respective courts; also to appoint such other clerks, assistants, stenographers as the common council may authorize. All such appointees to serve during the pleasure of said justices." The clerks so appointed are required to collect and pay into the city treasury all fees, fines and penalties, keep a docket of the cases, and are authorized, in the absence of the justice or judge, to adjourn pending cases. The relator is a veteran soldier of the late war, and claims that, under the provisions of various statutes, hereafter to be discussed, the provision that the clerk should serve during the pleasure of the justices did not apply to him and that he could not be removed from office except for cause after trial and a hearing. The trial court decided in favor of the defendant, and from the judgment on that decision this appeal is taken.

There are several independent statutes giving veterans a preference to appointment in public service and giving them, when appointed, a security of tenure not possessed by other citizens. It is necessary to examine each of these statutory provisions to see if it covers the case of the relator. First, there is the local enactment applicable to the city of Brooklyn alone. Chapter 708 of the Laws of 1887 is entitled "An act providing for the employees of the various departments of the city of Brooklyn and county of Kings." Its provisions are: "Section 1. All persons holding position in the city of Brooklyn, or county of Kings, receiving salary from said city and county treasury, who shall be an honorably-discharged soldier or sailor of the late war of the rebellion, shall not be removed from such position, except for good cause, shown after a hearing had, but such person or persons shall hold such position for and during good behavior."

Previous to this time a statute had been passed, directing the appointment of commissioners to revise the charter of the city of Brooklyn and local laws applicable to that city. The revision made by the commission was enacted as a statute in chapter 583 of the Laws of 1888. The provision as to veterans is found in section 29 of title 22 of that act, which reads: "The compensation of clerks and subordinates in the several departments shall not exceed in the aggregate the appropriation made by the board of estimate for the purpose. All persons holding position in the city of Brooklyn receiving salary from said city who shall be an honorably-discharged soldier or sailor of the late war of the rebellion, shall not be removed from such position except for good cause shown after a hearing had, but such person or persons shall hold such position for and during good behavior." It will be thus seen that the very words of the act of 1887 have been repeated in the revision of 1888. I think it is clear that neither of these statutory provisions cover the case of the relator. The term "position" is an indefinite one. It may include officers or it may be limited to cases of employees. It is, therefore, proper and necessary to refer to the title of the statute to determine its scope and extent. (*People ex rel. Westchester, etc., Co. v. Davenport*, 91 N. Y. 574; *People ex rel. Collins v. Spicer*, 99 id. 225; *Bell v. The Mayor*, 105 id. 139.) Referring to the title we see that the statute is limited solely to employees. If we consider the provisions of the charter of 1888 as an independent statute, the same conclusion is reached. Section 29 deals only with clerks and subordinates in the several departments. This is apparent, for the first sentence of the section provides that their compensation shall not exceed in the aggregate the appropriation made for that purpose. But the statute of 1888 is not to be treated as an independent enactment on the subject. It was intended to be a mere revision of existing laws, and in such case an intent to change the law will not be attributed to the Legislature unless such intent is plainly manifest. The relator was not an employee in any department of the city of Brooklyn or the county of Kings, but an independent public officer.

The next laws on the subject to be considered are chapter 119 of the Laws of 1888 and chapter 577 of the Laws of 1892. The latter of those statutes is an amendment of the earlier one.

The statute is entitled "An act relating to employees of the various cities and counties of the State." Its provisions, as they now stand, are: "No person holding a position by appointment, in any city or county of this State, or who may hereafter be appointed, receiving a salary from such city or county (unless he has been appointed for a definite term), who is an honorably-discharged soldier, sailor or marine, having served as such in the Union army or navy during the war of the rebellion, or the Mexican war, and who shall not have served in the Confederate army or navy, or who shall have served the time required by law in the volunteer fire department of any city, town or village in the State, or who shall have been a member thereof at the time of the disbandment of said volunteer department, shall be removed from such position, except for cause shown after a hearing had; but this provision shall not be construed to apply to the position of private secretary, or chief clerk or deputy of any official or department, or to any other person holding a confidential relation to the appointing officer." This is a general law, applicable to all cities and counties in the State. The title of the act limits its purview, and to the same extent as that of the local act applicable to the city of Brooklyn. In the case of *The People ex rel. v. Goetting* (29 N. Y. St. Repr. 286) I had occasion to examine the question whether the office of clerk fell within the protection of this statute, and reached the conclusion that it did not. I was of opinion that the clerk of the justices' court was a chief clerk within the express exception of the statute. This decision was affirmed by the General Term of the department. On appeal to the Court of Appeals (133 N. Y. 569) that decision was affirmed, but on the sole ground that mandamus would not lie, the court declining to pass upon the merits. Still the case remains good authority, so far as the decision of the General Term is concerned, and I see no reason to change the views then expressed by me. The learned counsel for the relator is mistaken in his statement

that the statute has been amended so as to strike out the office or position of chief clerk from the exceptions. He has fallen into this error by regarding chapter 716 of the Laws of 1894 as amending the act of 1892. It does not, but is a part of different and independent legislation on the subject of veterans.

In 1884 (chap. 312) was passed the earliest statute on the subject of veterans. It was entitled "An act respecting the employment of honorably-discharged Union soldiers and sailors in the public service of the State of New York." By this statute, as amended by chapter 716 of the Laws of 1894, it is provided that: "In every public department and upon all public works of the State of New York, and of the cities, towns and villages thereof * * * honorably-discharged Union soldiers and sailors shall be preferred for appointment and employment: * * * but the provisions of this act shall not be construed to apply to the position of private secretary or deputy of any official or department, or to any other person holding a strictly confidential position." In *People ex rel. Griffin v. Lathrop* (142 N. Y. 113) the Court of Appeals held that this statute, as amended by chapter 464 of the Laws of 1887, while it gave veterans a preference in the public employment, in no way affected their liability to removal from employment, which was wholly untrammelled. To remedy this the amendment of 1894 was passed, which prohibits removal except for incompetency and conduct inconsistent with the position held by the employees or appointee. But though the veteran can, under this statute, be removed only for incompetency or misconduct, he is not entitled to a hearing or trial before removal. (*People ex rel. Fonda v. Morton*, 148 N. Y. 156.) Here, also, the scope of the statute is limited. It is said of it, by Judge Andrews, in the case cited: "It was intended to create a privileged class entitled to preferential employment in subordinate positions in the public service, the foundation of the preference being meritorious service as soldiers and sailors in the war for the preservation of the Union."

It is thus seen that there are three separate and distinct sets of statutory regulations on the subject of the appointment of

veterans to office, and their tenure of office when appointed. The first is the local provision applicable to Brooklyn alone; the second, the provision applicable generally to cities and counties; the third, a provision relative to the public service of the State, and also in the public departments and public works of the cities, towns and villages. All these three seem to be coexisting, none repealing the others. By each of these the removal of a veteran, except for cause, is forbidden, but only by the first two is a veteran entitled to a trial or hearing as a condition of his discharge. All these, as I have attempted to show, and as was held by Chief Judge Andrews in the Fonda case, are limited to subordinate positions in the public service. I do not deny that the term "position" not only may include an office, but does include some offices. But it is impossible to draw any line and to say in advance what offices lie within it or what without it. The two statutes that are peculiarly applicable to the relator's case are the charter provision of the city of Brooklyn and the act relative to cities and counties of the State. I think I have shown that his office falls within neither of those. When to this is added the express provision of the statute that each justice should appoint a clerk, and the clerk hold office at the pleasure of the justice, I think it clear that the Legislature did not intend to make the office of clerk subject to any provisions of law which would give an incumbent a permanent tenure.

The judgment appealed from should be affirmed, with costs.

All concurred.

Judgment affirmed, with costs.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* THOMAS J. LINNEKIN, *Appellant and Respondent*, v. JOHN ENNIS, COMMISSIONER OF THE FIRE DEPARTMENT OF THE CITY OF BROOKLYN, *Respondent and Appellant*.

Appellate Division, Second Department, June term, 1897.

(18 App. Div., 412.)

CIVIL SERVICE.—Mandamus to restore a person to an office which has been abolished, denied—a wrong reason is not a reversible error.

Where, upon a motion for a peremptory writ of mandamus requiring the respondent to re-instate the relator in his position as pilot in the fire department of the city of Brooklyn, the affidavit submitted upon the part of the respondent states that the relator's position was duly abolished, and there is nothing to impeach the good faith of the respondent in abolishing it, the motion should be denied.

Semble. That the fact that the denial was placed upon the ground that the relator's remedy was by certiorari instead of by mandamus, is not a ground for the reversal of the order denying the writ, as it is not a legal error to assign a wrong reason for a correct conclusion.

Appeal by the relator, Thomas J. Linnekin, from an order of the City Court of Brooklyn, made at a Special Term thereof and entered in the office of the clerk of said court on the 19th day of November, 1886, denying his application for a peremptory writ of mandamus requiring the defendant to restore the relator to his position as pilot in the fire department of the city of Brooklyn.

Also, a motion by the defendant, John Ennis, commissioner of the fire department of the city of Brooklyn, to dismiss the above appeal.

Also, an appeal by the defendant, John Ennis, commissioner of the fire department of the city of Brooklyn, from an order of the Supreme Court, made at the Kings county Special Term and entered in the office of the clerk of the county of Kings on the 23d day of March, 1897, requiring the defendant to accept the relator's notice of appeal from the first-mentioned order.

Jesse Johnson for the appellant.

Joseph A. Burr for the respondent.

PER CURIAM: On January 2, 1886, the relator was appointed a pilot in the fire department of the city of Brooklyn and assigned to duty as pilot upon the fireboat Seth Low. He continued in such position until the 27th day of February, 1886, when he was summarily removed from such position by the defendant. There-

upon, and on April thirtieth of the same year, he procured to be issued an order to show cause why a peremptory writ of mandamus should not issue against the defendant requiring him to forthwith reinstate and restore the said relator in his position as pilot. The moving papers recited the facts as above stated, and such application was met on the part of the defendant by an affidavit of the deputy commissioner of the fire department, which stated that "the said relator was duly removed from said position, and thereupon and thereafter the said position of pilot was duly abolished." This fact was not controverted by anything which appeared in the moving papers nor was any application made by the relator for an alternative writ. The relator then insisted that he was entitled to the peremptory writ and submitted such claim to the court for determination. The court denied the application, and from the order entered thereon this appeal is taken. It is clear that the order denying the peremptory writ was properly made. We do not understand it to be contended that the position held by the relator could not be abolished, and nothing which appeared in the papers put that fact in issue. It has been uniformly held that a position may be abolished unless there is some express prohibition in the law. (*Phillips v. Mayor, etc., of New York*, 88 N. Y. 245), and here there is none.

There is nothing before the court which reflects upon the good faith of the defendant in abolishing the position, and the relator is concluded in this respect by what appears in the opposing affidavit. (*People ex rel. McCanna v. Commissioners*, 1 App. Div. 3.) As the relator insisted upon his motion for the peremptory writ, the determination of the question became one of law based upon the assumption that the position had been lawfully abolished. (*The People ex rel. P. O. Savings Bank v. Cromwell*, 102 N. Y. 477; *The People ex rel. Corrigan v. The Mayor, etc.*, 149 *id.* 215.)

The result, therefore, is that the relator made no case entitling him to the writ, and the order must be upheld. It is stated in the affidavit of the attorney for the relator that the motion was

denied upon the ground that the remedy of the relator was by certiorari instead of mandamus. It is sufficient to say of this statement that such affidavit is ineffective to show the ground of the decision. If such fact be assumed, however, it does not change the result, as it is not legal error to assign a wrong reason for a correct conclusion. The decision of the motions made to dismiss the appeal, and of the defendant from the order compelling an acceptance of the notice of appeal herein, in view of the conclusion we have reached, cease to be of practical importance, and the motion to dismiss and the appeal from the order compelling the acceptance of the notice of appeal may, therefore, be dismissed, without costs.

The order should be affirmed, with ten dollars costs and disbursements.

All concurred, except Goodrich, P. J., not sitting.

Order denying motion for peremptory writ of mandamus affirmed, with ten dollars costs and disbursements; motion to dismiss appeal from above order denied, without costs; appeal from order directing respondent to receive notice of appeal dismissed, without costs.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* HOLMES W. BURLINGAME, *Appellant*, v. EMMA Q. HAYWARD AND OTHERS, CONSTITUTING THE BOARD OF EDUCATION OF THE WARSAW UNION FREE SCHOOL DISTRICT, AND AS TRUSTEES OF WARSAW UNION SCHOOL, *Respondents*.

Appellate Division, Fourth Department, June Term, 1897.

(19 App. Div., 46)

CIVIL SERVICE.—Right of veteran to a preferential appointment as a janitor of a school building in a union free school district.

A union free school is not, within the meaning of chapter 812 of the Laws of 1894, as finally amended by chapter 821 of the Laws of 1896, a public department of the State or of a village in it, and the Board of Education of the district, to which is committed, by the Consolidated School Act, the care of the school building, is not subject to the direction or control of the village or State authorities in the exercise of such duties, and cannot be compelled to give preferential employment, as a janitor of the school building, to a veteran of the late war under the statute entitling such veteran to preferential employment in the public service in every public department of the State, counties, cities and villages, and upon all public works of the State, counties, cities and villages.

Appeal by the relator, Holmes W. Burlingame, from a judgment of the Supreme Court in favor of the defendants, entered in the office of the clerk of the county of Wyoming on the 4th day of March, 1897, upon the decision of the court rendered after a trial at the Wyoming Trial Term before the court without a jury.

E. W. Holt, for the appellant.

George W. Botsford, for the respondents.

Judgment affirmed, without costs, on the opinion of Lambert, J., delivered at Special Term.

All concurred.

The following is the opinion of Lambert, J.:

LAMBERT, J.: A writ of mandamus was issued herein upon the affidavit of the relator by the authority of chapter 312 of the Laws of 1884, as finally amended by chapter 821 of the Laws of 1896, requiring the members of the respondent to convene as a board and to give to the relator, a veteran of the late war, a preferential employment as janitor of the respondents' school building and make return to the writ within twenty days. The school district is within the corporate limits of the village of Warsaw. The respondent entered a demurrer upon the ground that the facts stated in the affidavit did not furnish warrant for the legal relief sought. By the statute referred to, the Legislature intended to create a privileged class entitled to preferential employment in public service in every public department of the State, counties, cities and villages, and upon all public works of the State, counties, cities and villages.

The question here is whether the Union free school is, within the meaning of the statute, a public department of the State or village. I do not think it is. The respondent is a school district organized, existing and supported by taxation levied upon the taxable inhabitants of the district, which may or may not be co-extensive with the corporate limits of the village; and when organized by force of the statute, becomes a district having a distinct classification in the civil divisions of the State. The care of the school building is committed, by the Consolidated

School Act, to the board of education, and the board is in no way subject to the direction or control of the village or State authorities in the execution of such duties, and, in my judgment, under no legal requirement to prefer the relator as janitor. A privilege of this character must have its foundation in express provision of the statute. The demurrer should be sustained.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* GEORGE M. HOYT,
Appellant, v. THE BOARD OF TRUSTEES OF THE VILLAGE OF
BALLSTON SPA, N. Y., AND PATRICK H. HEENEY, *Respondents*.

Appellate Division, Third Department, July term, 1897.

(19 App. Div. 567.)

VETERAN.—Under chapter 821, Laws of 1896, he is entitled to an alternative writ of mandamus to try the question of his competency.

The provisions of chapter 821 of the Laws of 1896, amending chapter 716 of the Laws of 1894, giving a preference to veterans in the matter of appointment to office, making a refusal to allow the preference a misdemeanor, granting the veteran a right of action for damages for the refusal, "and also a remedy by mandamus for righting the wrong," and providing that "the burden of proving incompetency, or misconduct shall be upon the party alleging the same," entitled a veteran, refused appointment to office, merely upon the ground of his incompetency, to an alternative writ of mandamus, under which it may be determined whether there is any serious question as to his qualifications for the office.

Appeal by the relator, George M. Hoyt, from an order of the Supreme Court, made at the Montgomery Special Term and entered in the office of the clerk of the county of Saratoga on the 13th day of April, 1897, denying his motion for a peremptory writ of mandamus, to be directed to the defendant trustees, requiring them to assemble and appoint the relator to the office of street and water commissioner of the village of Ballston Spa, and to annul and declare void the appointment of Patrick H. Heeney to said office; or, in case of the defendants producing affidavits denying any material facts stated in the moving affidavits, that an alternative mandamus issue.

The papers on which the motion was made, among other things, stated that the relator was an honorably discharged Union soldier and served in the Union army in the war of the rebellion; that he was a freeholder and taxpayer in said village and held the office of street and water commissioner for two years previous

to his application, and had performed the duties of said office in a manner satisfactory, etc., and was possessed of the business capacity necessary to the discharge of the duties of the said position of street and water commissioner of the said village; that he presented his petition to the board of trustees of the village of Ballston Spa on the 19th day of March, 1897, and claimed to be preferred for appointment to the said office pursuant to chapter 716 of the Laws of 1894, as amended by chapter 821 of the Laws of 1896; that no other Union soldier had made application for said office; that the said board refused to appoint the relator and appointed in his stead the defendant Patrick Heeney, who was not a Union soldier; that such appointment was made without considering or passing upon the qualifications of the relator, and that they did not, at any time, determine the question whether or not the said Heeney was qualified for the said office, but appointed him as aforesaid, without such consideration, arbitrarily and against the rights of the relator as a preferred applicant.

The defendants, on the hearing of the motion, read their joint affidavit, in which they admitted that the relator was an honorably discharged Union soldier, but denied the other material allegations contained in the moving papers. Their affidavit, among other things, stated: "That in making said appointment deponents and each of them duly considered and recognized the fact that the relator was an honorably discharged soldier, and that he was entitled to preference, provided he was competent, able and otherwise a fit person for the position. Deponents and each of them further say that prior to said meeting they had duly and deliberately considered the relative ability and competency of the relator for said office as well as that of the other applicants. That in making such appointment they gave much weight and consideration to the negligent and incompetent manner in which said Hoyt had performed the duties of the office in the year last past."

After setting forth certain alleged acts of incompetency and misconduct on the part of the relator while holding the office

of street and water commissioner of the village of Ballston Spa, the affidavit further states: "That the above are some of the evidences of misconduct, neglect and general unfitness for the office of street and water commissioner, which deponents and each of them duly considered and weighed in making said appointment, and which induced them to believe and judge that the relator, Hoyt, was not a competent and fit person for said appointment and that the appointee, Heeney, was far superior for said office."

James W. Verbeck for the appellant.

Irving W. Wiswall for the respondents.

PUTNAM, J.: The application of the relator for a peremptory writ of mandamus was properly denied. Although under the provisions of section 9, article V of the Constitution of the State, as an honorably discharged Union soldier, he was entitled to a preference, the defendants were not compelled to appoint him to the office he desired, unless competent to discharge its duties. Chapter 821, Laws of, 1896, only gives honorably discharged Union soldiers a preference "provided they possess the business capacity necessary to discharge the duties of the position involved."

As on an application for a peremptory writ of mandamus, the opposing affidavits read by the defendants were to be taken as true (*People ex rel. Corrigan v. The Mayor, etc.*, 149 N. Y. 215), and the affidavits read by the trustees of the village of Ballston Spa in this case not only denied the allegations contained in the moving papers, but alleged the incompetence and unfitness of the relator to discharge the duties of the office he sought, the court below could not have granted a writ of peremptory mandamus requiring the defendants to appoint the relator to an office, the duties of which the defendants' affidavit (which the court was compelled to regard as true) showed he was incompetent to perform.

The only question, then, that requires consideration is whether an alternative writ should have been granted.

It is conceded that relator is an honorably discharged Union soldier. As no other Union soldier applied, he was, therefore,

entitled to appointment, if qualified to discharge the duties of the position. The moving affidavit stated that relator was fully competent to perform the duties of said office, and that the defendant trustees, in making the appointment, did not consider or question his qualifications therefor. These allegations are denied in the defendants' opposing affidavit.

Was the relator, under the circumstances, entitled to an alternative writ of mandamus to try the question raised as to his competency for the office in question, and as to whether the defendant trustees considered and passed upon that question?

Prior to the enactment of chapter 716, Laws of 1894, probably, under a state of facts, such as appear in this case, the question of the competency or qualifications of an applicant who was an honorably discharged Union soldier, could not be tried in a proceeding by mandamus. The defendants, the board of trustees, being vested with power of appointing a street and water commissioner, and having authority, it was their duty to pass upon the question of the qualifications of applicants for the office, under the statutes then existing and well-established doctrines, their action in making an appointment and in passing upon the qualifications of an applicant could not be reviewed in a mandamus proceeding. (*People ex rel. Lockwood v. Saratoga Springs*, 54 Hun, 16, and authorities cited; *People ex rel. Milliken v. Almshouse Comrs. of Newburgh*, 65 id. 169; *People ex rel. Ballou v. Wendell*, 57 id. 362.)

In *People ex rel. Fonda v. Morton* (148 N. Y. 156, 161), Judge Andrews remarks: "The relator in such an application could not show that he was entitled in preference to other Union soldiers, and the decision of the appointing power as to fitness, actual or relative, must generally, from the nature of the case, be final."

We think, however, that chapter 821, Laws of 1896, amending chapter 716, Laws of 1894, was intended to confer upon the courts the power to review the action of an appointing board in denying the application of an honorably discharged Union soldier for appointment to office, either in an action or a proceeding

by mandamus. The act in question, after providing that honorably discharged Union soldiers should be preferred for appointment, if "they possess the business capacity necessary to discharge the duties of the position involved," contains the following provision: "A refusal to allow the preference provided for in this act to any honorably discharged Union soldier, sailor or marine, or a reduction of his compensation intended to bring about a resignation, shall be deemed a misdemeanor, and such honorably discharged soldier, sailor or marine shall have a right of action therefor in any court of competent jurisdiction for damages, and also a remedy by mandamus for righting the wrong. The burden of proving incompetency or misconduct shall be upon the party alleging the same." The provision in the act for "a remedy by mandamus for righting the wrong," and that "the burden of proving incompetency or misconduct shall be upon the party alleging the same," indicates the intention of the Legislature that the question of the competency of an applicant for the office he applies for may be tried in a proceeding by mandamus. Under the language quoted, in an action or proceeding by mandamus, the defendants cannot rest upon the fact that they have, as an appointing body, already decided that the applicant was incompetent; they are compelled to prove incompetency on the trial. By the plain language of the act the question of competency is one to be tried and determined in the action or proceeding. Had the relator's motion for an alternative writ been granted and a trial had, it might have appeared, as he claimed the fact to be, that his qualifications for the office in question were not passed upon or determined by the defendants; that he was clearly competent to fill the office of street and water commissioner. It might have been shown that the action of the defendants in appointing Heeney was a fraudulent attempt on their part to evade the provisions of the act of 1896.

We think, therefore, that the court below should have granted relator's motion for an alternative writ of mandamus. Such a writ being granted, after a trial, it may appear and be determined that the relator did not possess the business capacity

necessary to discharge the duties of the position involved. On the other hand, it being conceded that he is an honorably discharged Union soldier, it may be clearly shown that he possessed the requisite qualifications for the office in question. If so he had a legal right, under the Constitution of the State and chapter 821, Laws of 1896, to the appointment he sought.

We are of opinion that the doctrine enunciated in *People ex rel. Wren v. Goetting* (133 N. L. 569), and *People ex rel. Lewis v. Brush et al.* (146 id. 60), does not conflict with the views above expressed. Those cases determined that a mandamus could not be granted upon the application of one claiming title to an office for the purpose of determining the validity of his claim, where there is a serious question in regard thereto, and another person is holding and exercising the functions of the office. In both the cases cited the application was for a peremptory mandamus only, and not for an alternative writ. In that regard they differ from the case under consideration. Again, *People ex rel. Wren v. Goetting* (*supra*) was decided prior to the enactment of chapter 716, Laws of 1894; and in *People ex rel. Lewis v. Brush et al.* (*supra*) the construction to be given chapter 716, Laws of 1894, was not involved or considered. But if those cases could be deemed applicable to this, under the papers before us, it cannot be determined that there is a serious question as to the qualifications of the relator until after a trial or an alternative writ of mandamus. The alternative writ being granted and a trial had, it will appear whether or not there is any serious question as to the right of the relator to the office in question. Before the trial the question cannot be determined.

We think that, under the provisions of chapter 821, Laws of 1896, when an honorably discharged Union soldier applies for an office, and his application is denied on a proceeding by mandamus, the question of his qualification for the office involved may be tried in the proceeding, although it involves a disputed question of fact, and that the determination of the court or jury has the same effect as a finding or verdict in any other action. But if this view is not correct the relator was entitled to an

alternative writ to determine whether, in fact, there was any serious question as to his qualifications for the office of street and water commissioner of the village of Ballston Spa.

We are referred to *People ex rel. Hoffman v. Rupp* (90 Hun, 145). That was a case where an alternative writ had been issued and a trial had. The relator was an applicant for the position of assistant sealer of weights and measures of the city of Buffalo; two were to be appointed. The trial found "that the board of police did not appoint the relator, but did appoint two other persons who duly qualified and were incumbents of the office; that neither of them was an honorably discharged soldier; that each of them had qualifications for the performance of the duties of the office superior to those of the relator, and that such superior fitness was the inducement for their selection by the board in preference to the appointment of the relator." Judge Bradley, in his opinion, remarked: "The question of his appointment involves the consideration of the right to the office, and unless the latter is clear, the writ of mandamus is not the appropriate remedy to enforce the former." The case was decided prior to the enactment of chapter 821, Laws of 1896, and hence the case cannot be deemed applicable to that under consideration. It will be seen that the provision contained in the act of 1896, making a refusal by an appointing power to allow the preference provided for by the act a misdemeanor, is not contained in the act of 1894, which was considered in the case cited. And although the last-named act gave an applicant whose preference as an honorably discharged Union soldier was not allowed, "the existing right of mandamus," it omitted the words contained in the act of 1896, "for righting the wrong."

But conceding that the authority in question is applicable to this case, and that the construction therein given to the act of 1894 is correct, nevertheless an alternative writ being granted and a trial had, as in *People ex rel. Hoffman v. Rupp*, it may be determined that the right of relator to the office in question is clear. He may prove the truth of the allegations contained in the moving papers. He is an honorably discharged Union soldier. On a trial there may be no serious question as to his qualifications for the office of street and water commissioner.

The order should be reversed, with ten dollars costs and disbursements, and the application for an alternative mandamus granted, with ten dollars costs.

All concurred.

Order reversed, with ten dollars costs and disbursements, and application for an alternative mandamus granted, with ten dollars costs.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* PATRICK H. CORRIGAN, *Respondent*, *v.* THE MAYOR AND COMMON COUNCIL OF THE CITY OF BROOKLYN, *Appellants*.

(149 N. Y. 215.)

1. MOTION FOR PEREMPTORY MANDAMUS—EFFECT OF CONFLICTING AFFIDAVITS.—Where, upon motion for a mandamus, opposing affidavits are read which are in conflict with the averments in the affidavits of the relator, and notwithstanding this the relator demands a peremptory writ, it is equivalent to a demurrer, and the question as to the right to the writ must be determined upon the assumption that the averments of the opposing affidavits are true.
2. MOTION FOR PEREMPTORY MANDAMUS—STATUS OF RELATOR'S AFFIDAVIT.—Upon a contested motion for a peremptory mandamus, the only allegations contained in the relator's affidavit which are to be taken as true are the allegations of facts that are undisputed, and any allegation contained therein which is a mere conclusion of law should not be considered.
3. CITY OF BROOKLYN—TENURE OF OFFICE OF APPOINTIVE SALARIED EMPLOYEES—VETERANS.—By force of the statutes on the subject (chapters 80, 583, Laws of 1888; chapter 577, Laws of 1892; chapter 716, Laws of 1894), the authorities of the city of Brooklyn have no right to remove an honorably discharged Union soldier of the late war from an appointive salaried position, such as that of keeper or superintendent of the Truant Home, except for good cause shown on hearing had; but if such a position is abolished in good faith and for sufficient reason, as, e. g., on the ground of economy, this statutory limitation has no application.
4. REMOVAL OF MUNICIPAL SALARIED EMPLOYEE—APPLICATION FOR MANDAMUS FOR REINSTATEMENT—AFFIDAVITS.—Where, upon an application for a peremptory mandamus to compel municipal authorities to reinstate, in an appointive salaried position, a relator whose removal was not justifiable, unless his position had been abolished in good faith, on grounds of economy, the relator claims and alleges in his affidavit that his position had not been abolished, but that the duties theretofore performed by him had been assigned to and were being performed by a new appointee, under a different official title, and these allegations are denied by the opposing affidavits, containing allegations that the duties of the relator were in effect transferred to a previously appointed and acting employee, and an examination of the conflicting affidavits show that every essential allegation contained in the relator's affidavit is denied, so far as it relates to the nature and character of the work performed by him and that performed by the new appointee, a peremptory writ of mandamus is improper, but an alternative writ should issue for a trial of the issues raised.
5. REMOVAL OF MUNICIPAL SALARIED EMPLOYEE—MANDAMUS FOR REINSTATEMENT.—When a relator, seeking reinstatement by mandamus, to a municipal appointive salaried position from which he had been removed, has made no suggestion to the appointing authorities of his willingness to perform different duties which have been assigned to the person claimed by him to have been wrongfully appointed in his place, under a different official title, and makes no claim for appointment under such different title, a writ of mandamus directing the authorities to assign the relator to the duties performed by the new appointee and to permit the relator to collect the salary attached to such new appointee's official position, is improper.

People ex. rel. v. Mayor, etc., Brooklyn, 91 Hun, 308, reversed.

Argued April 6, 1896; decided April 14, 1896.

Appeal from order of the General Term of the Supreme Court in the second judicial department, made December 2, 1895, which affirmed an order of Special Term granting a peremptory writ of mandamus, and also affirmed an order denying a motion for reargument.

On June 11, 1895, an order to show cause why a peremptory mandamus should not issue against the appellants was granted and made returnable on the 15th day of that month. The motion was based on an affidavit made by the relator. It was argued June 21st, and on July 2d an order was entered which, so far as material, is as follows: "It is ordered that the said motion be, and the same is hereby, granted, with ten dollars costs, to be paid by the said mayor and common council of the city of Brooklyn to said Patrick H. Corrigan. And it is further ordered that a peremptory writ of mandamus, containing appropriate recitals, issue out of and under the seal of this court, commanding the said mayor and common council of the city of Brooklyn forthwith to restore and reinstate the said Patrick H. Corrigan to and in the position held and occupied by said Corrigan previous to the 9th day of May, 1895, namely, the position of keeper of the Truant Home, and to permit, cause and allow the said Patrick H. Corrigan to perform the work, duty and service connected with such position, and to assign the said Corrigan to such duty, and also to permit, cause and allow the said Corrigan to receive and collect the salary, emolument and compensation now attached to said position and provided as compensation for the services rendered by the incumbent thereof to the city of Brooklyn."

A motion for reargument was subsequently made, and was based upon affidavits showing that one of the affidavits used by the appellants contained an error, which, as appeared from the opinion of the judge at Special Term, was considered important as bearing upon the question before him. Upon such reargument the court held that the error was immaterial, and denied the motion, but resettled the order, which was re-entered August 13, 1895, and which, so far as important, was as follows: "It is

ordered that the said motion for a reargument of the original motion made herein by the relator be, and the same is hereby, denied, and the stay of all proceedings herein which was ordered by the said order to show cause, dated July 8, 1895, be, and the same hereby is, vacated, set aside and annulled. And it is further ordered that the order heretofore, and on the 21st day of June, 1895, granted herein, be modified and amended by striking out the whole of the last paragraph thereof, and inserting in place the following: And it is further ordered that a peremptory writ of mandamus containing appropriate recitals issue out of and under the seal of this court, commanding the said mayor and common council of the city of Brooklyn forthwith to restore and reinstate the said Patrick H. Corrigan to and in the position held and occupied by said Corrigan previous to the 9th day of May, 1895, namely, the position of keeper of the Truant Home, and to permit, cause and allow the said Patrick H. Corrigan to perform the work, duty and services which, under the resolution of the common council of the city of Brooklyn, adopted April 29, 1895, and approved by the mayor May 9, 1895, are devolved upon one John Eiseman, as janitor, and to assign the said Corrigan to such duty, and also to permit, cause and allow the said Corrigan to receive and collect the salary, emolument and compensation fixed by the said resolution for the performance of the said work, and provided as compensation for the rendering of such services to the city of Brooklyn." It was further ordered that the peremptory writ of mandamus which had been granted be modified by striking out all the commands thereof and inserting in place thereof a command which was substantially identical with the provisions of the order as amended.

In the affidavit of the relator, upon which the order to show cause was granted and the original and amended writ of mandamus were issued, it was stated that the relator was appointed as keeper of the Truant Home of the city of Brooklyn on March 29, 1886, and that the position was afterwards known by the parties as superintendent of the Truant Home. The relator retained the place until May, 1895, when he was removed by the common council. The resolution removing him was adopted April 29,

1895, and so far as material was as follows: "Resolved, That the positions of superintendent and farmer at the Truant Home be, and the same are hereby, abolished from and after the 1st day of May, 1895, for economical reasons, and that the incumbents of the said several positions be from and after said date dismissed for the same reasons. Resolved, That the duties heretofore performed by the superintendent at the Truant Home be from and after the 1st day of May, 1895, devolve upon Eugene Martyn, a teacher of said Home. Resolved, That the services of James Towey and Daniel Ferrity, laborers at said Home, be dispensed with from and after the 1st day of May, 1895. Resolved, That John Eiseman be, and hereby is, appointed janitor of the Truant Home, and that he receive for his services as such janitor the sum of four dollars per day, and that he have authority to appoint such laborers as may be necessary, subject, however, to the approval of this common council or its successors in authority."

The relator was a soldier in the Union army from August 23, 1862, to June 30, 1865, and was honorably discharged. He was also a volunteer fireman of the city of Brooklyn, and was such at the time of the disbandment of the volunteer fire department of that city. He had been examined by the Civil Service Commissioners of the city of Brooklyn and received a proper certificate. It is stated in his affidavit: "I continued to occupy the said position of the keeper of the said Truant Home up to and including the 9th day of May, 1895; on that day I was removed, as hereinafter set forth, and one John Eiseman was appointed by the common council of the city in my place, and is now performing some of the same duties as I performed, and he did not pass a competitive or any other examination prior to his appointment." The duties performed by the relator as such superintendent were stated in his affidavit as follows: "It was my duty to make requisition for supplies for said Home, and these were furnished through the department of city works under contracts made with that department. I received all supplies, and certified to that department the correctness of all bills for the same; I also certified to the monthly pay-roll of the institution, which contained the names of the employes of the Home

and the sums due each for their work. There was a teacher in said Home named Eugene Martyn, and an assistant teacher; these two teachers were appointed by the common council of the city of Brooklyn; the other employes of said Home are enumerated in a schedule hereto annexed and marked 'A,' and these latter were employed by me, under the direction of the committee of the common council having the matter of the Home in charge. I directed and superintended the labors of all the employes except the teacher and assistant teacher, and even these latter reported to me at their coming and going; I was in general charge and custody of the Home and its inmates, and as a matter of habit and practice I came to be called the superintendent, and was named as such in the pay-roll of the Home and in all official papers relating to it; but my appointment read as a keeper, and this was never officially changed; my duties were of the same general nature from the day of my first incumbency and never changed until my discharge." It was also stated in the relator's affidavit that since his departure from the institution, John Eiseman had entered the Home and performed that part of duties which consisted in the general charge of the inmates and employes of said Home, which was by far the greater part of such duties, while Eugene Martyn, a teacher, had done that part which consisted of making requisitions for supplies, receipting for the same and certifying the bills and pay-roll.

The affidavits read in opposition to the motion were to the effect that Eugene Martyn, who was a teacher, had been in the employ of the Home since December 1, 1868, and was familiar with all the matters pertaining to the same, both before the appointment of the relator and after his appointment, and until his discharge; that the statement in the affidavit of the relator that on the 9th day of May, 1895, John Eiseman was appointed by the common council in the place of the relator, and is now performing the duties formerly performed by him, was untrue; and also that during the superintendency of the relator the duties that would naturally devolve upon a janitor was rarely, if ever, performed by the relator; that that work was done under his direction, but by laborers or boys in the institution; that the only work the superintendent did during his superintendency was

the making of requisitions for supplies, certifying to the monthly pay-rolls of the institution and the hiring of domestic servants; that after the discharge of the relator, pursuant to the resolution of the common council, those duties devolved upon Eugene Martyn, and have ever since been performed by him.

The affidavits read in opposition to the motion also stated in substance that by the discharge of the persons mentioned in the resolution discharging the relator, the institution saved an expense of at least \$940 a year. It also appeared that his discharge was induced by an investigation by the common council of the affairs of the Home, which resulted in a determination by them that its affairs were not economically administered, and that its expenses were too great; that the superintendent was receiving a salary of \$1,800 per year, and that the duties performed by him could be performed by Martyn; that the position of superintendent or keeper was unnecessary and should be abolished, and also the position held by the farmer, who received \$600 a year; and that Martyn, who was then employed as a teacher in the institution, should discharge the duties formerly performed by the relator as such superintendent.

From the order of the Special Term granting the writ of peremptory mandamus the appellants appealed to the General Term of the Second Department, where the order was affirmed, and from that order this appeal was taken.

Joseph A. Burr, for appellants.

James C. Cropsey, for respondent.

MARTIN, J.: Section 2070 of the Code of Civil Procedure provides that a peremptory writ of mandamus may be issued, in the first instance, where the applicant's right to the mandamus depends only upon the question of law, and the proper notice has been given. In every other case a peremptory writ cannot be issued until an alternative mandamus has been issued, served and the return day thereof has elapsed. Where, upon motion for a mandamus, opposing affidavits are read which are in conflict with the averments in the affidavits of the relator, and notwithstanding this the relator demands a peremptory writ, it is equivalent to a demurrer, and the question as to the right to the writ must be determined upon the assumption that the aver-

ments of the opposing affidavits are true. (People ex. rel. Port Chester Savings Bank v. Cromwell, 102 N. Y., 477; People v. R., W. & O. R. R., 103 N. Y., 95; People ex rel. Lewis v. Brush, 146 N. Y., 60.)

The only allegations contained in the relator's affidavit which are to be taken as true are the allegations of fact that are undisputed, and any allegation contained therein which is a mere conclusion of law should not be considered. (Knapp v. City of Brooklyn, 97 N. Y., 520, 523.) It is a well established rule of law that the power to appoint to an office or position where the term or tenure is not defined by statute or otherwise, necessarily carries with it the power of removal. (People ex rel. Sims v. Fire Commissioners, 73 N. Y., 437; People ex rel. Cline v. Robb, 126 N. Y., 180.) As in this case there is no claim that the term or tenure of the office or position of superintendent of the Truant Home was defined by statute or otherwise; it follows that the common council possessed the authority to remove the relator, unless the statutes relating to firemen or honorably discharged soldiers and sailors prevented the relator's discharge.

Chapter 80, Laws of 1888, provides in substance that a keeper or assistant keeper, janitor or assistant janitor of any public building in the city of Brooklyn or the county of Kings, receiving a salary from the city or county treasury, who shall be an honorably discharged soldier or sailor of the late war of the rebellion or who shall have been a member of the volunteer fire department of the city of Brooklyn at the time of the disbandment thereof, shall not be removed from such position except for good cause, shown after a hearing had, but shall hold such position for and during good behavior. Section 29, title 22, chapter 583 of the Laws of 1888, is to the same effect. Chapter 577, Laws of 1892, provides that no person holding a position by appointment in any city or county of this State, receiving a salary from such city or county, who is an honorably discharged soldier, having served during the war of the rebellion, or who shall have served the time required by law in the volunteer fire department of any city or village in the State, or who shall have been a member thereof at the time of the disbandment of the volunteer depart-

ment, shall be removed from such position except for cause shown after hearing had. Chapter 716, Laws of 1894, provides for preference of honorably discharged soldiers and sailors in making appointments to public positions, and further provides that in all cases the persons having the power of employment or appointment, unless the statute provides for a definite term, shall have power to remove soldiers and sailors so appointed only for incompetency and conduct inconsistent with the position held by the employe or appointee.

From this examination of the statutes it is manifest that the appellants had no right to remove the relator and appoint another to fill the position occupied by him, except for good cause shown after a hearing had, and had no right to remove him unless the position he occupied was abolished in good faith, and for sufficient reasons. While these statutes are positive in form, it is clearly not their intent to give to occupants of such positions a life tenure, where upon grounds of economy or for other proper reasons the office or position is in good faith abolished. In *People ex rel. Wardrop v. Adams*, 22 N. Y. St. Rep., 856, it was held that an honorably discharged veteran of the Union army might be removed for the reason that the position he occupied was abolished on economical grounds, and its duties might be attached to an existing office which was held by a person not a veteran, and that such a removal was not in violation of the statutes relating to veterans of the war of the rebellion holding positions in the city of Brooklyn. (See also *Phillips v. Mayor, etc.*, 88 N. Y., 245; *Lethbridge v. Mayor, etc.*, 133 N. Y., 232, 237.)

Assuming, then, that the appellants had the right to abolish the position occupied by the relator upon economic grounds, it follows that if the relator was discharged solely upon those grounds, the peremptory writ of mandamus was improperly issued. It is contended by the appellants that the duties which were formerly performed by the relator are now discharged by Eugene Martyn, who was, at the time, an employe of the appellants; that the change was made for economic reasons, and because the Home was extravagantly managed; that economy in the management of its affairs has been the result of the change, and, therefore, as the removal was made in good faith and for proper reasons, that they had the right to discharge the relator.

If, as we have already seen, the affidavits read by the appellants were such as to put in issue the facts alleged in the affidavit of the relator, and such as to show that the relator was discharged in good faith and upon economical grounds, the court erred in awarding a peremptory writ. If the relator desired to dispute the facts contained in the answering affidavits and test their correctness, an alternative writ should have been issued, and the issues thus raised tried in the manner provided by statute. Hence, the real question is, whether, when the uncontradicted statements contained in the relator's affidavit and the statements in the answering affidavits are considered, the undisputed facts were sufficient to justify the court in holding, as a matter of law, that the relator was improperly discharged.

When we examine the affidavits we find that the relator, in his affidavit, makes a general statement to the effect that Eiseman was performing some of the duties formerly performed by him. This allegation is expressly denied. The relator also specifies what the duties performed by him were. He states that he made requisitions for supplies furnished under contracts by the city works department; that he received such supplies and certified to the department the correctness of the bills therefor; that he certified the monthly pay-rolls; that he hired the employees, other than teachers, under the direction of the committee of the common council; that he was in general charge and custody of the Home and its inmates. The answering affidavits are to the effect that the only duties which were performed by the relator were making requisitions for supplies, certifying to the monthly pay-rolls and hiring domestic servants, and that since his discharge those duties have been performed by Martyn. They expressly deny that the relator was in general charge and custody of the Home and its inmates, or that he was charged with the performance of any other duties than those last specified. The resolution appointing Eiseman gave him authority to appoint such laborers as might be necessary, while the relator was authorized to hire domestic servants, which duty has since been performed by Martyn. All the work falling within the duties of a janitor is alleged in the answering affidavits to have been performed by

laborers and boys during the time the relator was superintendent or keeper. Thus it appears that practically all the services or duties which were rendered by or devolved upon the relator as superintendent of the Home were subsequently performed by Martyn, and that the duties assigned to Eiseman were not performed by the relator, but by laborers and boys employed at the Home.

This examination of the affidavits read upon the motion disclosed that practically every essential allegation contained in the affidavit of the relator is denied so far as it relates to the nature and character of the work performed by him and that performed by Eiseman. Under these circumstances it is manifest that the Special Term had no authority to grant a peremptory writ of mandamus.

It will be observed that by the amended order a peremptory writ was to issue directing the appellants to permit the relator to perform the work and services which are now performed by Eiseman, to assign to the relator the duties discharged by Eiseman and to permit the former to collect the salary or compensation therefor. It is somewhat difficult to understand the theory upon which the court assumed the right to appoint the relator to discharge the duties of janitor, which were not previously performed, or required to be performed, by him as superintendent of the Home. We have examined the papers contained in the record in vain to find that the relator made a claim that he should be appointed janitor. On the other hand, his affidavit discloses that in January, 1895, when the question of his removal was pending before the common council, he notified the appellants that he was a veteran of the late war and veteran fireman, and claimed that he could not be removed as superintendent without a hearing; and also that, on May sixth, while the resolution removing him and appointing Eiseman janitor was pending in the mayor's hands, and before its approval, he gave a similar notice to the mayor. In neither instance was there any suggestion that he was willing to assume or perform the duties which, by that resolution, were assigned to Eiseman. Under these circumstances, with no claim upon the part of the relator that

he should be retained as janitor, we are unable to discover any authority which justified the court in directing the common council to appoint him as such in the place of Eiseman.

If it be claimed that the dismissal of the relator was not made in good faith, but for the purpose of evading the statute as to veteran soldiers and firemen, the answer is that the papers read upon the application for the order were not sufficient to justify the court in holding, as a matter of law, that such was the purpose of the appellants. The question could be determined only after a trial upon the return of an alternative writ.

We are of the opinion that the order should be reversed and the writ of mandamus dismissed, without costs.

All concur.

Ordered accordingly.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* WILLIAM SEARS,
Respondent, v. WILLIAM R. TOBEY, *Appellant.*

(153 N. Y., 381.)

1. **MUNICIPAL CIVIL SERVICE — CLERK OF POLICE COURT OF SYRACUSE.**—The clerk of the police court of the city of Syracuse is a member of the Civil Service of the city and not of the State.
2. **NOT A CONFIDENTIAL OFFICE.**—The office of clerk of the police court of the city of Syracuse the duties of which are indicated in detail by the city charter and not determined by the police justice in whom the power of appointment is vested, and which consist of administering oaths, taking depositions, adjourning proceedings in the absence of the justice, giving a bond to the city for faithful performance, keeping a record of proceedings, filing and preserving papers, and receiving and paying over to the city treasurer all costs and fines, is not a confidential office and, hence, is not exempt from classification in the competitive schedule of the municipal Civil Service Regulations or from the constitutional provisions giving a preference to veterans.
3. **EVIDENCE AS TO DUTIES OF OFFICE.**—Since the duties of the clerk of the police court of the city of Syracuse are defined by statute, it is not competent for the police justice, in a quo warranto proceeding for the determination of the title to the office of clerk under the Civil Service Law, to give his opinion as to what are the duties of the clerk.
4. **QUO WARRANTO — SCOPE OF JUDGMENT — RIGHT OF VETERAN TO APPOINTMENT.**—When the eligible list resulting from a municipal competitive Civil Service examination for a non-confidential position included in the competitive schedule of the municipal regulations contains the name of one veteran, and another person is appointed, a written appointment of the veteran to the position by the appointing officer is necessary before the court in quo warranto proceedings instituted on the relation of the veteran can decree that he be inducted into office. In the absence of such appointment the jurisdiction of the court is exhausted when it determines that the defendant is unlawfully in possession of the office and orders a judgment of ouster, thereby creating a vacancy; but the relator will be entitled to compel his appointment by mandamus.

5. EVIDENCE—SUFFICIENCY OF CERTIFICATION OF COPY OF MUNICIPAL CIVIL SERVICE REGULATIONS—OBJECTION.—In order to render available on appeal an objection to the admission in evidence of a copy of municipal Civil Service Regulations certified by the secretary of the state civil service commission, on the ground that the certificate fails to state that the copy had been compared with the original, as prescribed by section 957 of the Code of Civil Procedure, the specific defect must have been pointed out on the trial; a general objection that the paper was not properly certified is not sufficient.
6. CERTIFICATION OF COPY OF MUNICIPAL CIVIL SERVICE REGULATIONS.—The Civil Service Regulations of a city, on file in the office of the state civil service commission, may be sufficiently proved for use in evidence by the production of a copy certified by the secretary of the state commission in substantial compliance with section 933 of the Code of Civil Procedure.

People ex rel. Sears v. Tobey, 8 App. Div. 468; 17 App. Div. 621, modified.

(Argued June 8, 1897; decided October 5, 1897.)

Appeal from an interlocutory judgment and order of the Appellate Division of the Supreme Court, fourth department, in a proceeding in the nature of a *quo warranto*, affirming an interlocutory judgment and order on demurrer to the complaint, and also from a final judgment and order affirming a judgment, and order denying a motion for a new trial on the minutes.

Wm. S. Andrews, for appellant.

Wm. G. Tracy, for respondent.

BARTLETT, J.: This is a *quo warranto* proceeding, under sections 1948 and 1949 of the Code of Civil Procedure, to determine the title to the office of clerk of the police court of the city of Syracuse.

On the 2d of January, 1896, the relator, William Sears, having ascertained there would be a probable vacancy in the office of clerk, passed his civil service examination with a percentage of 94½.

Immediately thereafter he applied to Frederick W. Thomson, police justice of the city, for appointment to the clerkship.

On the 22d of January Robert H. Rickert, then clerk of the court, tendered his resignation, to take effect at some future time.

About the 15th of January the police justice applied to the Municipal Civil Service Board for the names of persons eligible to appointment as clerk of the police court, without prejudice as to whether or not the appointment was a confidential one and not subject to the Civil Service Laws.

Thereafter, and about the 22d of January, the commissioners certified to the police justice three names, William R. Tobey, the defendant, percentage 95; William McDermot, percentage 94½, and William Sears, the relator, percentage 94½, and at the same time certified that William Sears had presented due proof that he was an honorably discharged soldier from the military service of the United States in the late civil war.

On the 27th day of January the relator applied to the police justice to be appointed clerk of the police court and the application was denied upon the ground that the Civil Service Law did not apply to that office and that the relator was not entitled to a preference for the reason that the office was a confidential position and excepted by statute from the provisions of the law giving a preference to soldiers.

On the same day the police justice appointed the defendant to fill the position and he has ever since continued to discharge the duties of that office.

The learned counsel for the defendant has ably argued a number of points in support of his contention that the defendant is entitled to retain his office. It is first argued that the clerk of the police court is a member of the Civil Service of the State and not of the city.

By section 7 of the Civil Service Act, as amended by chapter 681 of the Laws of 1894, the State Commission is required to certify to the Comptroller the names, etc., of those in the public service of the State, and in cities the financial officers are required to draw their warrants for the payment of persons duly appointed pursuant to the Civil Service regulations prescribed by the respective mayors.

We agree with the learned Appellate Division in the conclusion it reached in its opinion overruling the demurrer to the complaint, that this office exists by virtue of the charter of the city of Syracuse and is filled by an appointment made by the police justice of that city.

The office of police justice is created by the charter of the city; the salary of the clerk is fixed by the common council of the city and is payable out of the funds thereof, and it follows that the

clerk of the police court is in the Civil Service of the city of Syracuse, and the mayor of that city had power to provide that the office must be filled by a person certified as eligible thereto by the Civil Service examiners of that city.

It appears by the Civil Service regulations in force in the city of Syracuse at the time this proceeding was instituted that the office of police clerk was classified in schedule B, which contained a list of offices to be filled upon competitive examination.

This shows the practical construction that had been placed upon the office under the law by the Municipal Civil Service Board of the city of Syracuse.

The next point to be considered is the contention that this office is a confidential one, and, therefore, could not be included in the competitive list.

The charter of the city of Syracuse was amended in 1895 in relation to the duties devolving upon the clerk of the police court. Section 57 reads as follows: "The police justice of said city shall appoint a clerk, who shall receive an annual salary to be fixed by the common council in their discretion, and not to exceed \$1,000, payable in monthly payments, and shall hold office at the pleasure of the police justice, and shall have power to take oaths and acknowledgments, to examine under oath the informant and prosecutor and any witnesses he may produce, and take their depositions in writing, and cause the same to be subscribed by the parties making them, and to adjourn trial or proceedings in the absence of the police justice. The police justice may issue warrants upon depositions taken by the clerk as herein prescribed."

Section 58 provides that the clerk shall file with the city a bond with sureties in the penal sum of \$1,000, to be approved by the mayor and conditioned for the faithful discharge of the duties of his office.

Section 59 prescribes further duties for the clerk, to the effect that he shall keep a faithful record of the proceedings of the police court and the business pertaining to the office of police justice, which record shall be open to public inspection, and shall properly file and keep all bonds, papers and documents pertaining to said office.

Section 60 provides that he shall receive all costs, fines, penalties and dues of every description, and shall pay over to the treasurer from time to time, to the credit of the contingent fund, all moneys received by him, and take his receipt therefor.

It is also his duty to present all records kept by him, and all accounts of money received by him, and of any other matters pertaining to his office, to the common council, at such times as it may require or prescribe.

From this it would seem that the police justice has no power to determine the duties to be performed by the clerk, as they are indicated in detail by the Legislature.

We are unable to perceive anything confidential in these statutory duties. The position should doubtless be filled by a man of intelligence, as the duties are such as would require in their performance a fair order of ability. There is nothing secret or confidential as between the police justice and the clerk in the manner in which these duties are to be discharged. Indeed, they are essentially of a public character.

The clerk is called upon to handle some money in the way of fines collected, but he is treated as an independent officer, liable to the city, and a bond, with sureties to be approved by the mayor, is exacted for the protection of the municipality. In this connection it may be well enough to consider, in passing, a question of evidence that is presented upon this appeal.

After the relator and the defendant had rested their cases respectively, and the relator had put in his proofs in rebuttal, counsel for the defendant stated as follows: "Mr. Thomson is here now and we wish to show by him the duties of the clerk of the police court." To this there was a general objection, which was sustained, and the defendant excepted.

It is now claimed that this is reversible error. There are two answers to this suggestion. In the first place, it rested wholly in the discretion of the trial judge whether he would permit the defendant to open his case and again place Mr. Thomson upon the stand. He had been examined in chief at length by the defendant and cross-examined by the relator, and permitted to leave the stand without eliciting the proof now sought to be introduced.

A less technical and more satisfactory answer is found in the fact that the duties of the clerk of the police court, as already intimated, are purely statutory, and, under the circumstances, it was not competent for the police justice to give his opinion as to what were the duties of his clerk, as they had been fully defined by the Legislature. We think this evidence was properly excluded.

The point made by defendant's counsel, that the classification of this office as a competitive one was abrogated when its duties were enlarged and defined by statute, it is unnecessary to consider, in view of the fact we do not regard the position as confidential. If this were so, we think, under the doctrine of this court laid down in *Chittenden v. Wurster* (152 N. Y. 345), that the classifications made by the mayor are not void but voidable, is an answer to this suggestion.

The counsel for the defendant in his next point insists that the form of the judgment is improper; that the utmost to which the plaintiff was entitled in any event is a judgment of ouster, and it was not competent for the court to induct the relator into office.

This is a question of great importance, as a failure to provide, in a final judgment, for inducting the relator into office, will compel a resort to further litigation before his rights are finally determined.

My individual opinion is that the police justice, having decided to make an appointment of clerk, and receiving from the Civil Service Commissioners three names from which to make his selection, the relator being the only veteran of the civil war, the Constitution compelled his appointment, and in fact worked that result precisely as the expressed will of the people at the polls ousts the candidate holding the certificate of election and seats the one actually elected.

As the majority of the court are unable to adopt this view, I am instructed to present the conclusions upon which this branch of the decision rests.

The written appointment of the relator to the position by the police justice is necessary before the court in *quo warranto* proceedings can decree that he be inducted into office; that in the

absence of such appointment the jurisdiction of the court is exhausted when it determines that the defendant is unlawfully in possession of the office, and orders a judgment of ouster, thereby creating a vacancy; that the relator is entitled to compel the police justice to appoint him to the position of clerk by the writ of mandamus.

The defendant urges in a further point that the relator failed to prove his allegations as to the Civil Service regulations of the city of Syracuse and consequently any violations thereof. In other words, it is insisted that no common-law proof was made of these regulations. They consist of those prescribed by Mayor Ryan in 1884 and the amendments thereof by Mayor Amos in January, 1895.

The provisions in regard to the clerk of the police court are contained in the regulations of Mayor Ryan. The relator endeavored to produce the original regulations of Mayor Ryan, and proved that they could not be found with the Civil Service Board or in the office of the city clerk, although at one time on file in the latter office.

He introduced the amendments to the regulations of Mayor Ryan made by Mayor Amos, found on file with the Civil Service Board, with the approval of the State Civil Service Board and its seal attached, and proved the signature of Mayor Amos thereto. Relator also introduced in evidence the regulations on file with the Municipal Civil Service Board, on which they acted.

These were all approved and attested by the State Civil Service Board with the seal attached. Relator then introduced a certified copy of the proceedings of the State Board, approving the Civil Service regulations of the city of Syracuse, and copies of the regulations of Mayors Ryan and Amos on file in the office of the State Civil Service Commission, duly approved by the State Civil Service Board.

These were all certified by the secretary, under the seal of the Commission of the New York Civil Service Commission as a true and correct transcript from the records of the Commission and in his custody, and of the resolutions, minutes and proceedings of the Commission in relation to the approval of the Civil Service Regulations prescribed by the mayor of the city of Syracuse,

and all amendments thereto, and of the whole thereof; and also as true and correct copies of all Civil Service Regulations prescribed by said mayor and amendments made by him thereto and on file in the office of said Commission.

There was a general objection that these papers were not properly certified, but no specific objection was made pointing out wherein they were defective.

It is now insisted that they failed to comply with section 957 of the Code of Civil Procedure, which provides that where the transcript or certified copy of a record is declared by law to be evidence, and special provision is not made for the form of the certificate in a particular case, the person authorized to certify must state in his certificate that it has been compared by him with the original and that it is a correct transcript therefrom and of the whole of the original.

The failure to state in the certificate that it had been compared with the original is the point now taken. It is a sufficient answer to the objection that it was general in form and should have pointed out the specific defect so that it might have been corrected at the trial.

Still another answer is that this certification is a substantial compliance with section 933 of the Code, that provides for the certification by the secretary or clerk of any public body or board appointed in pursuance of law, under his hand, of the records in his office.

This certificate is very full and complete, and avers that the copies annexed are true and correct, of all the papers and amendments and of the whole thereof, and sufficiently proved the Civil Service Regulations of the city of Syracuse.

There are other points we do not deem it necessary to consider in detail. We think there was a proper certification made by the municipal board in regard to the relator's status as a veteran. We are also of opinion that there was no question of fact to be submitted to the jury.

The evidence upon which it was asked to go to the jury sought to reveal the relator's motive in applying for this office, which was wholly immaterial.

The final judgment appealed from is hereby modified, so as to strike therefrom any provisions which induct the relator into the office of clerk of the police court of the city of Syracuse, and as so modified is, in all respects, affirmed, together with the interlocutory judgment, and all orders from which an appeal was taken to this court, with costs.

O'Brien, J. (dissenting): If the position of clerk to the police justice of Syracuse was a confidential one within the meaning of the statute and the decisions of this court, the relator was not entitled to recover. This is conceded, and, therefore, neither argument nor authority is necessary in support of the proposition. The learned counsel for the plaintiff has not left us in any doubt with respect to his position upon this question. In order to show what relations must exist between the head of an office and his appointees to make the place confidential, he has placed upon his brief a liberal quotation from the opinion of this court as a result of the decision in the case of *People ex rel. Crummev v. Palmer* (152 N. Y. 217) and *Chittenden v. Wurster* (Id. 360). The quotation is as follows:

"Where the appointee is to receive, open, read and answer the letters of his chief, where he is to counsel and advise him with reference to the conduct and management of his office, sign his name to checks or warrants, collect and pay out his money, have the combination of his safe and the custody and control of its contents," the position is a confidential one.

"Where the duties of the position were not merely clerical, and were such as especially devolve upon the head of the office, which, by reason of his numerous duties, he is compelled to delegate to others, the performance of which requires skill, judgment, trust and confidence and involves the responsibility of the officer or the municipality which he represents, the position should be treated as confidential."

"If, therefore, the statute casts upon an officer a duty involving skill and integrity and a liability either personal or on the part of the municipality which he represents, and he intrusts the discharge of this duty to another, their relations become confidential."

If we look into the statute which authorizes the justice to appoint a clerk we find that the clerk is required to give a bond for the faithful discharge of his duties; that he has charge of all the papers of the office; that he is to keep the records; that he is to receive all fines and penalties; has power to take oaths and acknowledgments; to take affidavits; to examine complaints and draw depositions upon which warrants may be issued by the justice and to adjourn trials and proceedings in the absence of the head of the office.

It is quite difficult to conceive how all these things can be done without the existence of intimate personal relations between the justice and the clerk. It is not written in the statute that he is the clerk of any court, but simply the clerk of the police justice. In one of the cases above cited it was quite distinctly held that the clerk or personal attendant of a judge was a position confidential in character. I assume that the criminal magistrate of a great city, who is empowered to hold Courts of Sessions, may be a judge within the meaning of this rule. It is quite conceivable, too, that his clerk may receive, open, read and answer his letters and equally reasonable to suppose that such a judge may frequently have to examine and dispose of important questions of law and fact, and that he may call on his clerk to assist him in the discharge of such duties. We may also assume that such an important office had a safe in it for the use of the justice, and that the clerk was intrusted with the key or the combination or both.

It is quite clear, therefore, that this clerk is required, or may be required, to perform duties which require skill, judgment, trust and confidence. How far the justice may be held responsible for his acts or his negligence or want of learning or skill, we cannot now say, but inasmuch as the justice is authorized to issue all criminal process upon papers prepared by the clerk, it is not difficult to see how he may be made responsible to individuals at least for things done or omitted by his subordinate.

When the criminal law is set in motion without jurisdiction, it frequently happens that the magistrate is held responsible for some wrong done to others, or at least put to great trouble and expense to defend himself. When he assumes this responsibility

upon the faith of papers prepared by his clerk, he must necessarily repose a high degree of confidence and trust in him. I am quite unable to see how the relations of this clerk to the justice differ in any material respect from those of any other clerk to a judge. If the clerks or personal attendants of the judges of this court and the Supreme Court are confidential, what good reason is there for holding that the office in question is not confidential?

Whatever powers were specially conferred by statute upon this clerk, he must still be the clerk of the police justice, and he occupies such relations to him as that term reasonably implies.

A clerk in a bank or in a great financial office does not cease to be such when he is appointed a notary public, nor would the clerk to one of the judges of this court cease to be such if the Legislature should confer upon him some special additional power. This brings me to the question which underlies the case.

It was tried and has been argued in this court upon the theory that the duties of the appointee and all the duties are to be found written in the statute; that we are not permitted to look to any other source for the actual relations existing between the justice and his clerk at the time of the appointment; that custom and the established practice of the office for years count for nothing; that the clerk could not possibly be intrusted with the key of the safe because the statute did not require him to have it, and he could not possibly have been intrusted with the charge of the letters and correspondence since the statute said nothing on the subject. On the trial the defendant's counsel called the police justice as a witness and offered to prove by him what the duties of the clerk were. This was objected to by the plaintiff's counsel without stating any ground of the objection. The court sustained him and the defendant excepted. Unless it be true that it was legally impossible for any other relations to exist between the justice and his clerk than those specified in the statute, this ruling was error. The learned counsel for the plaintiff defends this theory by pressing upon us the proposition that the duties of the clerk are defined by the statute. But his sound legal judgment was not quite satisfied with this position since he has added to it another important fact, namely, that "there is no evidence that any other duties were performed by him." He is

quite right in this statement. There is no such evidence, and there could be none since the defendant was not permitted to give it. Had he been allowed to give the proof, who can say that it would not have shown that, under the actual practice and custom of the office for years, the clerk was required to do and actually did all the things and performed all the duties that this court has said creates confidential relations between a public officer and his clerk? The proposition that the Legislature has attempted to regulate, minutely, all the relations between a judge and his clerk, is an extraordinary one. If such was the intention of the statute in this case, it is safe to say that it stands alone and is a solitary exception to all legislation on such a subject. But such is not the language or the meaning of the statute. There is a wide difference between powers and duties, and this clerk has vastly more power than the clerks of other judges, but his duties are the same in nature and character. What the Legislature intended was, not to disturb the relations between the justice and his clerk, but to confer upon the latter special powers which could not be derived from the appointment. He was still the clerk of the justice, holding all the relations to his chief that the term naturally implies, and bound to perform to that chief such duties as he might reasonably require of him. He could call on him for assistance in all matters pertaining to the duties of the office of police justice. The statute, by conferring other powers upon him, did not discharge him from any duty necessarily to be implied from his position as a clerk to the justice. The decision in this case really holds that the clerk of the police justice of Syracuse is not a clerk at all in the sense in which that term is commonly understood, but an independent officer, with powers and duties prescribed by statute, and just as independent of the justice as any other city officer was. He was not bound to take any orders from him or to render to him any service or assistance, since it was not written in the statute.

If all this be so it is quite remarkable that the Legislature intrusted the justice with his selection and appointment, and still more remarkable that he was empowered to remove him at pleasure. If there were to be no confidential relations between the justice and his clerk the power of appointment and removal would

naturally be left where it belonged, with the chief executive of the city. Moreover, until quite recently the appointment of any clerk was optional with the justice. It was left to him to say whether he needed a clerk or not, and can it be said that it was left to his discretion to appoint and remove a clerk without having the power to prescribe a single duty that he was bound to perform when appointed?

Surely an argument that results in such absurd conclusions must be founded upon premises that are essentially faulty and unsound. They proceed from the false proposition that the Legislature has done in this case what it never did before, and has written into a statute all the details of the duties intended to govern the relations of a clerk at \$1,000 a year with his chief. Nothing of the kind was intended or expressed. The statute is silent as to duties, but specific as to powers which could not otherwise be exercised, and which the justice could not confer upon his clerk.

Suppose the statute simply authorized the justice to appoint a clerk and stopped there, how could we then know whether the relations between them were confidential or otherwise? Obviously, only by proof of the things which the justice had assigned to him to take charge of, and the nature and character of such duties. And how is this changed by the circumstances that the Legislature from time to time conferred power upon the clerk to do certain other things? The truth is that the appointment of the justice makes the appointee a clerk for him and creates all the relations that may be implied from that word, and the statute has added to these relations certain other powers. The powers of the clerk as an officer are to be found in the statute. His duties to his chief as an assistant, and as one in whom trust and confidence are reposed, must be ascertained by an inquiry as to the facts and the actual relations created by the instructions of the chief to his subordinate and the establishment of these relations between them by consent, express or implied.

It follows that the defendant should have been permitted to prove what the actual relations were, independent of the statute, which did not cover all the relations which could properly exist between the justice and his clerk. The administration of the justice of his office would have to bear the burden of any faults

or errors committed by his clerk, at least in the public eye. When two persons engaged in the performance of public duty are placed together in such close and intimate relations it is scarcely possible to exclude the idea of trust and confidence, and when their actual relations become material the statute is not the sole guide. The Legislature did not make a catalogue of the numerous things that the chief might require his clerk to do. The clerk or an applicant for the place is not asking the court to put him in possession of a public office to which he was never appointed, but claims that he ought to have been. He was bound to prove every fact upon which that right depended, and since the practical relations that he would assume toward his chief constituted a material inquiry, the defendant was not, upon such a question, limited to the words of the statute, but had the right to give oral proof from the justice on that subject.

According to the plaintiff's contention the situation is this: The police justice of Syracuse may appoint and have a clerk, but has no power to prescribe a single duty that he is bound to perform. The statute alone does that and the justice has nothing to do with it. The clerk may perform and do all the things nominated in the statute and yet the justice may remove him without reason and without cause. There are no personal confidential relations between the clerk and his chief, and it is absolutely impossible that there can be, since they are not enumerated in the statute, and yet when the court put the relator in possession of the office the justice has the power to remove him the next day. The clerk prepares the papers upon which the justice issues criminal process, for the use of which the latter alone is responsible, and while the clerk may possess himself of all the secrets of the office, yet the statute will not permit anything like confidential relations to exist. It must be admitted that this is an exceptional and unique situation, and the mind naturally looks for some flaw in the reasoning process upon which it is based.

It is not difficult to find it. It proceeds from an obvious misconstruction of the purpose of the statute in assuming that it covers or was intended to cover the whole subject of duties and obligations which may exist between the head of an office and

his clerk. The personal and confidential relations that must always exist in such cases do not depend upon any statute, but grow out of the nature and character of the place. When the justice makes the appointment he creates duties and relations that must exist independent of any statute, since they are inherent in the very nature and character of the employment. The clerk of the police justice of Syracuse assumes the same duties and holds the same relations to his chief that the clerk of any other judicial officer does to his chief, with certain statutory powers superadded. It will be noticed that none of the powers enumerated in the statute could be exercised by the clerk under his appointment, and hence it was necessary to confer them by legislation, and that is what the statute intended to do and what it means. The exercise of these special powers is perfectly consistent with the existence of those undefined personal relations that must always exist in such cases and which are to be implied from the very nature of the relation. No one can be a clerk to a judge or judicial officer in any proper sense without a duty resting upon him to do such things as his chief may reasonably require him to do in the performance of his judicial duties. This duty may give rise to confidential relations, and in any case when the inquiry is whether such relations attach to the appointment, the question cannot be solved by simply looking into the statute and disregarding everything else. We must look at the custom and practices of the office and find out what the clerk does and what he is required to do by his chief.

These propositions may be illustrated in many ways and by many examples.

Suppose that the relator in his application to the justice for this appointment had stated to him, in writing or otherwise, that he would refuse to do anything except the things named in the statute, would any court compel the justice under such circumstances to appoint him? Suppose that, being appointed, he should refuse to do anything except the things named in the statute, and should refuse to assist the justice in the performance of his duties in other respects, can there be any doubt that such refusal would be a good ground for his removal?

It is just as erroneous to suppose that all the duties of the clerk are to be found specified and enumerated in the sections of the charter referred to as it would be to assert that all the law has been written in statutes.

The learned trial judge virtually held that the relator had made out his case and proved what all the duties of the place were by producing the statute, and that upon this vital question of the duties of the clerk the defendant could not go outside the statute, but was conclusively bound thereby since he could not possibly have any other duties than those specified by the Legislature. That no duties whatever could be implied from the relation of chief of a department and his clerk or from the nature of the employment.

This, I think, is a fundamental error that pervades the whole case. The defendants should have been permitted to give proof of the actual duties of the place as fixed by the justice himself or as established by custom and practice.

The ruling cannot be justified on any technical ground as the objection was general. In such a case, when competent evidence is excluded without any specific objection, the burden is upon the objecting party to show that it was not admissible under any circumstances or under any aspect of the case. He cannot upon appeal justify the ruling on some ground concealed at the trial and which, if disclosed, might have been answered or avoided. (Cary v. White, 59 N. Y. 336; Meade v. Shea, 92 N. Y. 127; Cruikshank v. Gordon, 118 N. Y. 178; Valton v. National Fund Life Ins. Co., 20 N. Y. 32.)

The defendant was entitled to show the actual relations between the justice and his personal clerk, since in no other way could it be determined whether these relations were confidential or otherwise. It is now suggested that the office was not that of personal clerk to the justice, but clerk of the police court, the duties of which were defined and enumerated in the statute. In the court below the place in question is described as clerk to the police justice. On the argument in this court it was not asserted as matter of fact or law that the position is that of a clerk of a court. The position is not so described in the statute.

But if it be now assumed that the office created by the statute is that of clerk of the police court of Syracuse the plaintiff at once meets another difficulty.

Police courts in cities are State courts. They are so designated and defined in § 3 of the Code of Civil Procedure. They are a part of the judicial system of the State in the administration of the criminal law. The fact that the justices are elected and paid by the city does not change the character of the courts as courts of the State. The county judge is elected and paid by the county, but his court is one of the courts of the State. In fact, all the members of the judiciary except the members of this court are elected by localities or appointed by local authority, but they are parts of the judicial system of the State and their duties pertain to the government of the State. The manner of their election or appointment and the source from which their compensation comes is mere matter of legislative regulation.

The clerk of a State court is part of the court itself in the same sense that the justice is, and cannot be a city officer. He is no part of the political organization of the city, but concerned with the administration of State laws. The police justice cannot be an officer of the State or in the service of the State and the clerk of the court in the service of the city. Both are in the service of the State, engaged in the administration of the criminal law, though deriving title to their offices from local authority.

This conclusion must follow the contention that the office is that of clerk of a court. The principle does not rest entirely upon argument nor upon the statute, but upon the decisions of the courts as well.

In *McDonald v. Mayor* the question was whether an assistant clerk of the Marine Court was a city or local officer. It was held by the Supreme Court that the Marine Court of the city of New York was a part of the judicial department of the State government, and that its officers were not local officers of the city and county of New York, but as a part of the judicial system State officials. That was the only question in the case, and the judgment was affirmed in this court. (102 N. Y. 728.)

In *Whitmore v. Mayor* (67 N. Y. 21) it was held that clerks of the District Courts of the city of New York were not city offi-

cers, but officers embraced within the judiciary system of the State. The same point was decided in *Quinn v. Mayor* (44 How. Pr. 266), affirmed in this court (53 N. Y. 627), and in *Landon v. Mayor* (7 J. & S. 467), and it has been said that this cannot now be considered an open question (13 Hun, 398). The principle upon which this conclusion rests is that the judicial department, which embraces the officers of all courts, whether of general or limited jurisdiction, is a part of the general government of the State, since their functions are administered for the benefit and protection of the people at large. There may be a certain degree of locality in the organization and powers of inferior courts, but they are not for that reason dissevered from the general judicial department of the State. They are still a part of the entire judicial system, and so a part of the general government of the State. The Police Court of a city, empowered to hold Courts of Sessions and to administer the criminal law of the State, forms no part of the city government any more than does the Supreme Court when it exercises its powers and jurisdiction within the same territory. The local criminal court exercises functions which, for some purposes, at least, extend over the whole State, and hence its officers are part of the State judiciary. This principle was affirmed by the Supreme Court of the United States in a controversy touching the power of Congress to tax the salary of local judicial officers. It was held that they were part of the judicial department of the State, though elected by local suffrage or appointed by local authority, and though the salary was paid from the treasury of a city. (*Collector v. Day*, 11 Wallace, 113; *Freedman v. Sigel*, 10 Blatch. 327.)

All these courts, like the Police Courts in cities, are organized by the Legislature under the power conferred by the Constitution to establish inferior local courts, and when created they are courts of the State, and their officers, whether judges or clerks, are in the civil service of the State and not of the city where they are located.

So that every argument to show that the office in controversy is that of clerk of the Police Court and not the personal clerk of the justice, must prove at the same time that the place is not in the civil service of the city, but in the civil service of the

State. It is only upon the theory that the appointee becomes the personal clerk of the justice, paid by the city, that the place can be said to be in the civil service of the city or within its civil service regulations.

In my opinion that is the correct theory, and, hence, evidence to show the actual personal relations between the chief and the clerk, independent of the statute, was admissible to show whether such relations were confidential or not. But if, on the other hand, the appointee becomes the clerk of a court which is one of the courts of the State, with statutory powers and duties, he stands upon the same footing as every other clerk of a court. He must be classified as an officer holding office under and belonging to the judicial system of the State, and the city has no power, through civil service regulations or otherwise, to organize one of the courts of the State or to prescribe the manner in which its officers or clerk shall be appointed. The mayor has power under the statute to make rules for the civil service of the city only. The place in controversy is either that of personal clerk to the police justice or that of clerk of the Police Court. If the former, then confidential relations may exist between the chief and his clerk, depending entirely on the duties of the place as established by the justice, or under his directions, or by consent, custom or practice, and, hence, it was error to exclude the proof offered with respect to the actual duties assigned to the clerk and their nature and character, independent of the statute. If the latter, then the place was not within the civil service regulations of the city, since these applied only to officers of the city, and the clerk of a State court cannot be classified as such, but as part of the judicial system of the State and in the civil service of the State.

The judgment should be reversed and a new trial granted, costs to abide the event.

Haight, Martin and Vann, JJ., concur with Bartlett, J., for modification of judgment; O'Brien, J., reads for reversal; Andrews, Ch. J., not voting; Gray, J., absent.

Judgment accordingly.

SUPREME COURT OF THE STATE OF NEW YORK.
THE PEOPLE OF THE STATE OF NEW YORK ON THE RELATION OF
GEORGE SCHLAGENHAUF *against* JACOB WORTH, CLERK OF THE
COUNTY OF KINGS, AND CLERK OF THE COUNTY COURT OF KINGS
COUNTY.

(Not reported.)

On reading and filing the affidavit of George Schlagenhauf, dated the 26th day of July, 1897, and on motion of Lawrence & Hughes, attorneys for the relator,

Ordered, That Jacob Worth, the clerk of the county of Kings and clerk of the County Court of Kings county, in the State of New York, show cause, at a Special Term of this court, to be held at the Court House, in the city of Brooklyn on the 29th day of July, 1897, at 10 o'clock in the forenoon of said day, or as soon thereafter as counsel can be heard, why peremptory writ of mandamus should not issue against him, said Jacob Worth, as clerk of the county of Kings and County Court aforesaid requiring him to permit the relator, George Schlagenhauf, to continue to perform the duties of the office of assistant clerk in the County Court of Kings county aforesaid, and why the relator should not have such other and further relief as to the court may seem just and proper.

Dated, Brooklyn, July 26, 1897.

AUGUSTUS VAN WYCK, J. S. C.

This case is similar to those of Philip T. Williams, Augustus C. Schlisman and John J. Barrett, who, together with Schlagenhauf were notified to appear for a noncompetitive examination, they having been appointed assistant clerks by Jacob Worth, clerk of Kings county. These positions had been considered as within the civil service of the State of New York and were classified in Schedule C (the noncompetitive class) of the State classification.

Upon examination these four men failed to qualify and in consequence the county clerk, Worth, refused to continue them in their positions; whereupon the four men brought actions in the Supreme Court to compel their reinstatement. The affidavits of each of the men were filed with the court alleging the facts in

the case and arguing that the State Civil Service had no rightful jurisdiction over their appointments, they being employes of the county. The court agreed with this contention and decision was rendered in the case of Williams; the disposition of the other case hinging upon this. The decision of Mr. Justice Dickey follows:

SUPREME COURT, KINGS COUNTY.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* PHILIP T. WILLIAMS *v.* JACOB WORTH, CLERK OF THE COUNTY OF KINGS, AND CLERK OF THE COUNTY COURT.

July 26, 1897.

I am satisfied that the office of assistant clerk of Kings county is a county office, and the relator being an employe of the county was not subject to either State or City Civil Service examination. As no machinery has yet been provided for the examination of county employes, the relator should continue in office at the pleasure of the county clerk and be permitted to perform his duties. Court in *Chittenden v. Nuister*, 152 N. Y. 345, quoting language of counsel "there was neither statutory nor executive machinery for putting the amendment into effect in villages, so it may well be that as to villages the amendment will, until there shall be legislation, remain ineffectual," says: "We quite agree with him in this regard. What is true with reference to villages is also true with reference to towns and counties."

Motion granted.

William D. Dickey, J. S. C.

THE PEOPLE *ex rel.* GEORGE M. HOYT *v.* THE BOARD OF TRUSTEES OF THE VILLAGE OF BALLSTON SPA, AND PATRICK H. HEENEY.

Supreme Court, Montgomery Special Term, March, 1897.

(19 Misc. Rep. 671.)

1. **MANDAMUS RIGHT OF RELATOR TO, HOW DETERMINED.**—The question whether or not the relator is entitled to the writ must be determined upon the presumption that the allegations contained in the opposing affidavit are true.
2. **VETERANS — PREFERENCE IN APPOINTMENTS.**—The statute giving honorably discharged soldiers a preference presupposes an applicant to be qualified to properly discharge the duties of the office which he desires to fill. It does not give him a preference unless he possesses such qualifications

3. **MANDAMUS—WHEN WILL NOT LIE.**—A writ of mandamus is never granted to compel the discharge of a duty involving the exercise of judgment or discretion.
4. **SAME.**—Mandamus is not the proper remedy to determine the right of a relator to an office where another is in possession and performing the duties thereof.

Application for a peremptory writ of mandamus.

W. B. French (J. W. Verbeck of counsel), for relator.

Irving W. Wiswall, for defendants.

McLAUGHLIN, J.: On the 19th of March, 1897, the defendant board of trustees met and proceeded under the statute to appoint a street commissioner for the ensuing year. There were three applicants for the appointment—relator, defendant Heeney and one Harrison. Heeney was appointed, and he at once entered upon, has since been, and now is discharging the duties of the office. The relator asks for a peremptory writ of mandamus requiring the defendant board of trustees to forthwith convene, annul and declare void the appointment of Heeney and to appoint him in his place and stead. He predicates his right to the writ upon an affidavit made by himself to the effect that he is competent to discharge the duties pertaining to the office and, therefore, has a legal right to the appointment, inasmuch as he was the only honorably discharged Union soldier among the applicants. All of the material allegations contained in the relator's affidavit, except that he is an honorably discharged Union soldier, are denied in affidavits presented by the defendants; and, from such affidavits, it affirmatively appears that the relator's application for the appointment was rejected because he was considered by the board incompetent and unfit to discharge the duties of the office. Whatever view may be entertained as to the merits of the relator's claim, it is too clear to require discussion that he is not entitled upon the papers presented to the relief asked. It is well settled that in applications of this character the question whether or not the relator is entitled to the writ must be determined upon the assumption that the allegations contained in the opposing affidavits are true. *People ex rel. Lewis v. Brush*, 146 N. Y. 60; *People ex rel. Corrigan v. Mayor*, 149 id. 223. The relator is not entitled to a preference unless he is competent to discharge the duties of the office. The statute giving honorably discharged soldiers a preference presupposes an applicant to be

qualified to properly discharge the duties of the office which he desires to fill. It does not give him a preference unless he possess such qualifications. The relator asserts that he is competent; the defendants deny it. The object to be accomplished by writ of mandamus is not to determine controversies; it is simply to enforce a clear, specific, legal right, when such right depends only upon questions of law. Code of Civil Procedure section 2070. The claim of the relator that he is entitled to the appointment is based upon the assumption that he possesses the necessary qualifications to properly discharge the duties pertaining to the office; and, the defendants having denied his assertions in this respect, a question of fact is presented which is not within the purpose of a proceeding by mandamus, but can be settled and disposed of in an action brought for that purpose. Code of Civil Procedure sections 1948, 1983. Again, a writ of mandamus is never granted to compel the discharge of a duty involving the exercise of judgment or discretion. It appears that the defendant board met, considered the application of the relator, and especially with reference to his preference under the statute, and rejected his application for the reason that he was not qualified to fill the position. The board, in the discharge of a public duty, exercised its judgment; and, having done so, the court has no power to interfere by substituting its judgment for that of the board. The relator urges, if a peremptory writ be refused, that then an alternative writ should be granted; but the case of *People ex rel. Hoffman v. Rupp*, 90 Hun, 145, seems to be conclusive upon this court as an authority against granting an alternative writ. See, also, *People ex rel. Wagner v. Board of Trustees, etc.*, 17 Misc. Rep. 652. This is clear, unless it be held that chapter 821 of the Laws of 1896 has destroyed the effect of that decision. The decision referred to was rendered after the passage of chapter 716 of the Laws of 1894, and upon which the relator there based his claim. In the present case the relator bases his right to the writ under the act of 1896, above referred to. The act of 1894 provided that the applicant "shall have a right of action * * * in addition to the existing right of mandamus," and in the act of 1896, he "shall have a right of action * * * and also a remedy by mandamus." I am unable to see any material difference in the statutes, so far

as the same affect the question here involved. The act of 1894 recognizes the right to proceed by mandamus, and that right carried with it a remedy to proceed in that way; while the act of 1896 recognizes a remedy and that presupposes the right. In other words, a legal right is always clothed with a remedy to enforce it, and a legal remedy is simply the means employed to enforce a legal right or redress an actionable injury.

The relator's application must, therefore, be denied.

Application denied.

THE PEOPLE *ex rel.* WILLIAM H. D. SWEET *v.* HENRY H. LYMAN,
STATE COMMISSIONER OF EXCISE.

Supreme Court, Ulster Special Term, April, 1897.

(20 Misc. Rep. 81.)

1. CIVIL SERVICE—APPOINTMENT.—The provision of chapter 354, Laws of 1883, providing for probationary appointments, must be read with chapter 821, Laws of 1896, and is intended as a means, in connection with the examination of the Civil Service Board, of ascertaining the applicant's qualifications and fitness in advance of an appointment.
2. VETERANS—PROBATIONARY APPOINTMENT—REMOVAL.—A veteran who has received a probationary appointment is not "holding a position" within the meaning of these words in chapter 821, Laws of 1896, and is not entitled to notice and hearing upon charges before removal.

Motion for a peremptory mandamus commanding the defendant to reinstate the relator as special agent in the excise department of the State of New York.

Eugene D. Flanigan, for relator.

G. D. B. Hasbrouck, Deputy Attorney-General, for defendant.

CHASE, J.: The relator is a citizen and resident of the State of New York and was a soldier in the Union army during the war of the rebellion, and was honorably discharged therefrom. He never served in the Confederate army or navy. In the month of June, 1896, he presented himself before the Civil Service Board of Examiners of the State of New York to be examined for the position of special agent, created under and by virtue of chapter 112 of the Laws of 1896, known as the "Liquor Tax Law," and did at such time take the examination submitted by the said Board to him for such position.

At the time of such examination he presented to and filed with said Board his certificate of honorable discharge as such Union

soldier and claimed the benefits and preference arising thereunder.

He successfully passed said examination and his name was placed upon the register of applicants eligible for appointment, and his name was certified to the commissioner of excise as an honorably discharged Union soldier eligible to appointment as special agent.

On the 28th day of September, 1896, the relator received a letter from the commissioner of excise, dated September 25th, which letter is as follows: "This is to inform you that, under the provisions of the Civil Service rules, I have selected you for appointment to the position of special agent in this department for a probationary term of three months from the date when you begin service. Should your conduct and efficiency during such probationary term prove satisfactory you will, at its close, receive a regular appointment, otherwise your appointment will cease. The salary attached to such position is at the rate of \$1,200 per annum.

"This conditional appointment does not preclude prompt discharge from service at any time during such probationary term, in case of misconduct or inefficiency.

"A prompt reply is requested, stating whether this appointment is accepted, and giving the earliest date when you can present yourself for service."

He accepted such appointment and on the same day presented himself for service, and was assigned and detailed for duty at Ogdensburg, N. Y., his appointment dating from September 25, 1896.

On or about the 20th day of December, 1896, he received a letter from the commissioner of excise, dated December 19, 1896, which letter is as follows:

"I have to inform you that your efficiency and capacity for the work required of a special agent during your employment in this department, for a probationary term of three months, have not been found satisfactory and that in accordance with the terms of your original appointment, as prescribed in the Civil Service rule No. 36, your employment by this department will cease on the 23d day of December, 1896."

He has not been connected with the excise department since said 23d day of December, 1896.

The relator claims that, pursuant to chapter 821, Laws of 1896, he was holding a position by appointment or employment and he should have been given a hearing upon due notice upon the charges made before removal, and that his removal without formal charges, notice and hearing was unlawful.

Section 2, chapter 354, Laws of 1883, provides:

"§ 2. It shall be the duty of said commission: First. To aid the governor, as he may request, in preparing suitable rules for carrying this act into effect; and when said rules shall have been promulgated, it shall be the duty of all officers of the state of New York, in the departments and offices to which any such rules may relate, to aid, in all proper ways, in carrying said rules, and any modification thereof, into effect. Second. Among other things, said rules shall provide and declare, as nearly as the conditions of good administration will warrant, as follows: * * * 3. There shall be a period of probation before any absolute appointment or employment aforesaid. * * * 8. Notice shall be given in writing by the appointing power to said commission * * * of the rejection of any such persons after probation * * * ."

Among the rules promulgated in accordance with the statutes in force when the relator accepted the appointment on September 25, 1896, was rule 36 which is as follows: "Every original appointment or employment in the Civil Service shall be for a probationary term of three months, at the end of which time, if the conduct and capacity of the person appointed or employed shall have been found satisfactory, the probationer shall be absolutely appointed or employed, but otherwise his appointment shall cease."

Among the rules promulgated December 9, 1896, is rule 12, which is as follows: "1. Every original appointment to or employment in any position in class II shall be for a probationary term of three months, and an appointing or nominating officer in notifying a person selected by him for appointment or employment shall specify the same as for a probationary term only; and at the end of such term if the conduct, capacity and fitness

of the probationer are satisfactory to the appointing officer, his retention in the service shall be equivalent to his absolute employment, but if his conduct, capacity or fitness be not satisfactory, he may be discharged at any time."

Chapter 821, Laws of 1896, provides as follows:

"Section 1. In every public department and upon all public works of the state of New York, and of the cities, counties, towns and villages thereof * * * honorably discharged Union soldiers, sailors and marines shall be preferred for appointment, employment and promotion; age, loss of limb, or other physical impairment which does not, in fact, incapacitate, shall not be deemed to disqualify them, provided they possess the business capacity necessary to discharge the duties of the position involved. And no person holding a position by appointment or employment in the state of New York * * * who is an honorably-discharged soldier, sailor, or marine, having served as such in the Union army or navy during the war of the rebellion, and who shall not have served in the Confederate army or navy, shall be removed from such position or employment except for incompetency or misconduct shown, after a hearing upon due notice* * * * ."

The statute of 1896 gives honorably discharged soldiers, sailors or marines a preference for appointment, employment and promotion in every public department and upon all public works of the State, and in the cities, counties, towns and villages of the State. The Legislature also intended by this statute to give to soldiers, sailors and marines after appointment security of tenure in their positions, and it also intended to remove them from all political, partisan or personal influence. A soldier, sailor or marine holding a position mentioned in the Act of 1896 has, so long as the service is required, an absolute legal right to continue in the place to which he is appointed indefinitely unless removed "for incompetency or misconduct shown, after a hearing upon due notice upon the charge made." It is not, however, intended by this act to exclude from consideration the question of capacity and fitness. The act in effect provides that a person applying for an appointment or for employment, although a soldier, sailor or marine, who passed the formal examination, shall

possess the business capacity necessary to discharge the duties of the position involved. It is essential that there be some way devised by general rules, or by the appointing power, to determine as to each applicant's business capacity. One of the ways devised for determining whether the applicant, including soldiers, sailors or marines, possesses the business capacity necessary to discharge the duties of the position involved, is to give a probationary appointment as provided and directed by the Act of 1883 and the rules promulgated pursuant to that act.

The provision of the Act of 1883 in regard to a probationary appointment must be read with the Act of 1896, and is intended as a means, in connection with the examination of the Civil Service Board, of ascertaining the applicant's qualifications and fitness in advance of an appointment. (See *People ex rel. Van Petten v. Cobb*, 13 App. Div. 56.)

According to the commissioner of excise the relator was examined to ascertain whether he had the necessary business capacity to fill the position of special agent under the "Liquor Tax Law." The examination was made by giving him a three months' trial, and as his efficiency and capacity were not satisfactory, he was not appointed.

I do not mean to hold that there is no way to review the action of the commissioner of excise, but I am of the opinion that the relator was not entitled to notice and hearing upon charges made by the commissioner of excise, as provided by chapter 821 of the Laws of 1896, for the reason that on the 23d day of December, 1896, he was not holding a position within the meaning of those words in that act.

Motion denied.

THE PEOPLE *ex rel.* SAMUEL KITTENGER *v.* THE BOARD OF CIVIL
SERVICE COMMISSIONERS OF THE CITY OF BUFFALO.

(Supreme Court, Erie Special Term, May, 1897.)

(20 Misc Rep. 217.)

1. CIVIL SERVICE — ELIGIBLE LISTS — REMOVAL OF NAME FROM. — Civil Service Commissioners cannot arbitrarily strike out the name of a qualified applicant for a position from the eligible list.
2. SAME — VETERANS — NO AGE LIMIT AS TO. — Honorably discharged soldiers and sailors have a preference in appointment under the statute, notwithstanding their age, if they are not incapacitated, and as to them no age limit can be fixed.

Application for writ of mandamus.

Arthur H. Williams, for relator.

Charles L. Feldman, for respondent.

TITUS, J.: This is an application for a writ of mandamus, directing the Civil Service Commission of the city of Buffalo to place the name of the relator, Samuel Kittenger, upon the eligible list of the Civil Service of the city of Buffalo for a clerkship under Schedule "B," and that the Civil Service Commission certify his name to the proper authorities for appointment when a vacancy occurs.

The facts of the case, as presented by the papers, are not in dispute; the relator is a citizen and resident of the city of Buffalo; he is an honorably discharged soldier of the late war, having been in the service nearly four years; he made proper application to the Civil Service Commission for examination, having passed the medical examination as required by the rules of the Board; he passed the Civil Service examination for a clerkship, and was duly placed upon the "eligible list" for certification and appointment when a vacancy should occur in the Civil Service; at the time of his application he was more than sixty years old; his name was never certified for appointment, the Commission refusing to do so, and was subsequently stricken from the eligible list. The defendant's counsel in his brief concedes that the relator "passed a satisfactory examination, and that he is qualified in all respects to perform the duties of the position which he seeks."

It is not questioned that the court on this application has power to grant the relief asked for (*People ex rel. Corrigan v. Mayor*, 149 N. Y. 215), but it is claimed that, as the relator is

more than sixty years of age, he is disqualified under the Civil Service rules adopted by the mayor of the city of Buffalo in January, 1896.

Beginning in 1883, many laws have been passed by the Legislature bearing upon this subject, and many cases have come before the courts of this State, and it has been so uniformly held that honorably discharged soldiers are entitled to preference in appointment from the eligible lists under these statutes, that no discussion of the question seems necessary or profitable, but a simple statement of the law will be sufficient.

The Commissioners cannot arbitrarily strike the name of a qualified applicant for position from the eligible list. The statute has fixed his status, and their authority is limited by the statute to certifying his name to the appointing power. (*People ex rel. Van Petten v. Cobb*, 13 App. Div. 56; 43 N. Y. Supp. 120.)

Section 9 of article 5 of the Constitution provides that, "Appointments and promotions in the Civil Service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers from the army and navy of the United States in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made."

Before the adoption of the new Constitution, the Legislature had, by chapter 354 of the Laws of 1883, and chapter 410 of the Laws of 1884, enacted a system of Civil Service laws for the State and municipalities, which, in substance, contained the provision of the Constitution above set forth, and the further provision that honorably discharged soldiers "shall not be disqualified from holding any position in the Civil Service on account of his age, nor by reason of any disability, providing such disability does not render him incompetent to perform the duties of the position applied for."

Section 16 of Article I of the Constitution provides that, "Such acts of the Legislature of this State as are now in force shall be

and continue the law of this State, subject to such alterations as the Legislature shall make concerning them." It was held by the Court of Appeals, in *People ex rel. McClelland v. Roberts*, 148 N. Y. 360, that "it was the intention under this provision to put all of the new provisions of the Constitution in operation through the instrumentality of such laws as were in force, so far as practicable, and that these laws remained in force as part of the Civil Service system of this State." It, therefore, follows that the laws enacted prior to the adoption of the Constitution, and in force at that time, became the law of the State, and must be construed as part of the Civil Service system which the framers of the Constitution intended to provide for.

The rules adopted by the mayor of the city of Buffalo in 1892 for the government of the Civil Service of this city contained this provision in the act of 1884, and provided further that "persons thus preferred shall not be disqualified from holding any position in the civil service on account of their age, nor by reason of disability, provided such age or disability does not render them incompetent to perform the duties of the position applied for." This position was left out of the rules adopted by the mayor of the city of Buffalo in 1896, and the age limit of "from 21 to 60 years" was continued, and the following adopted: "The foregoing manner of procedure * * * shall be followed in all cases not expressly provided for, except as far as the same shall be superseded by the provisions of the laws of the State of New York relating to the preference of honorably discharged soldiers and sailors."

It will not be claimed, I think, that the mayor had power, under the statutes, to nullify any provisions of the act of the Legislature giving preference to honorably discharged soldiers, if such a construction can be given to the rule adopted by him, but I do not think the language of the rule warrants any such construction. The laws of the State give preference to honorably discharged soldiers and sailors, and the rule was evidently adopted with the laws of the State in view. The Commissioners were, therefore, mistaken in the interpretation which they gave to the rules prepared and adopted by the mayor of the city of

Buffalo in 1896, and their act in refusing to certify the relator was contrary to them. The secretary of the Civil Service Commission in his affidavit sets out the rule relating to the qualifications of applicants, and says that the relator was stricken from the eligible list of candidates "for the reason only that the said Kittenger was over the age of sixty years," so that it is not necessary in this view to hold the rules void as being in violation of the laws of the State, but that the Commissioners were mistaken in the interpretation which they placed upon them.

It has been repeatedly held that honorably discharged soldiers and sailors are within the exception of the statute, if they are not in fact physically incapacitated by age or infirmity, and as to them no such limit can be fixed. (*People ex rel. Washburn v. French*, 52 Hun, 464; *Matter of Sullivan*, 55 id., 285; *People ex rel. Van Petten v. Cobb*, *supra*.)

These various acts relating to the civil service and the construction which the courts have placed upon them leave little to be said; that honorably discharged soldiers and sailors have the preference under the law, notwithstanding their age, if they are not incapacitated, is beyond legal controversy.

The relief asked for by the relator must be granted. He is entitled to have his name restored to the eligible list of the Civil Service of the city of Buffalo, and, when a vacancy occurs in the class to which his examination entitles him, he should be certified in preference to others who are not honorably discharged soldiers, sailors and marines.

Let a writ of mandamus to that effect issue to the Civil Service Commission, with \$10 costs to the relator.

Ordered accordingly.

IN THE MATTER OF THE APPLICATION OF JOHN W. AGAR FOR A PEREMPTORY WRIT OF MANDAMUS TO ISSUE TO JOHN BOYD THACHER, AS MAYOR OF THE CITY OF ALBANY, AND JAMES ROONEY, AS CHAMBERLAIN OF THE CITY OF ALBANY.

Supreme Court, Catskill, Special Term, July, 1897.

(21 Misc. Rep. 135)

ALBANY—Right of bridge tender appointed by the state to recover of the city, although he has never passed a Civil Service examination—Mandamus improper.

A bridge tender of the Lawrence street bridge in the city of Albany, erected under Laws of 1897, chapter 88, providing that the bridge should be operated at the expense of the city, but subject to the control of the State Superintendent of Public Works, appointed by the superintendent before the position of bridge tender had been classified by the State Civil Service Commission, has a valid claim against the city for his services, although he has never passed a Civil Service examination; but, as the appointee is not a city officer or laborer, his demand is not, in the first instance, enforceable by mandamus, but must, within section 46 of title 3 of the city charter, be presented to the clerk of the common council for allowance by the common council.

Motion for a peremptory writ of mandamus, to issue to John Boyd Thacher, as mayor of the city of Albany, and James Rooney, as chamberlain of the city of Albany, commanding the said John Boyd Thacher, as mayor, to audit, and the said James Rooney, as chamberlain, to pay the claim of the petitioner for services as a bridge-tender at the Lawrence street bridge in the city of Albany, N. Y.

The Lawrence street bridge, over Erie canal, in the city of Albany, was constructed pursuant to chapter 88 of the Laws of 1879, which provided for the erection of the bridge, and that the same should be operated subject to the control of the State Superintendent of Public Works and at the expense of the city of Albany.

In April, 1897, the State Superintendent appointed the petitioner as a bridge-tender at the Lawrence street bridge in the city of Albany for the season of 1897, at a salary of \$2.25 per day. He served during April and May, and then presented a voucher in the same manner as the vouchers had been prepared and presented since the erection of the bridge, to the mayor for audit, and the mayor refused to audit the same, on the ground that the petitioner had not passed a Civil Service examination, and that the city had the right to fix the compensation for such services.

Scherer & Downs, for motion.

John A. Delahanty, opposed.

CHASE, J.: I am satisfied that the relator has a valid claim against the city of Albany for the amount of his bills. He was an employe of the State, and in no sense in the Civil Service of the City of Albany, and the Superintendent of Public Works was not required to appoint bridge-tenders at these canal bridges in the city of Albany from the eligible list prepared by the Board of Civil Service Examiners of such city.

At the time of the appointment of the relator the position of bridge-tender had not been classified by the State Civil Service Commission, and the relator does not come within the decision in *People ex rel. McClelland v. Roberts*, 148 N. Y. 360.

The petitioner alleges that relator was duly appointed by the Superintendent of Public Works, and it will be presumed in making the appointment the Superintendent took into account the provisions of the State Constitution.

The Superintendent of Public Works had the right to fix the relator's compensation. (*Gilligan v. Town of Waterford*, 91 Hun, 21; *Failing v. City of Syracuse*, 4 Misc. Rep. 50.)

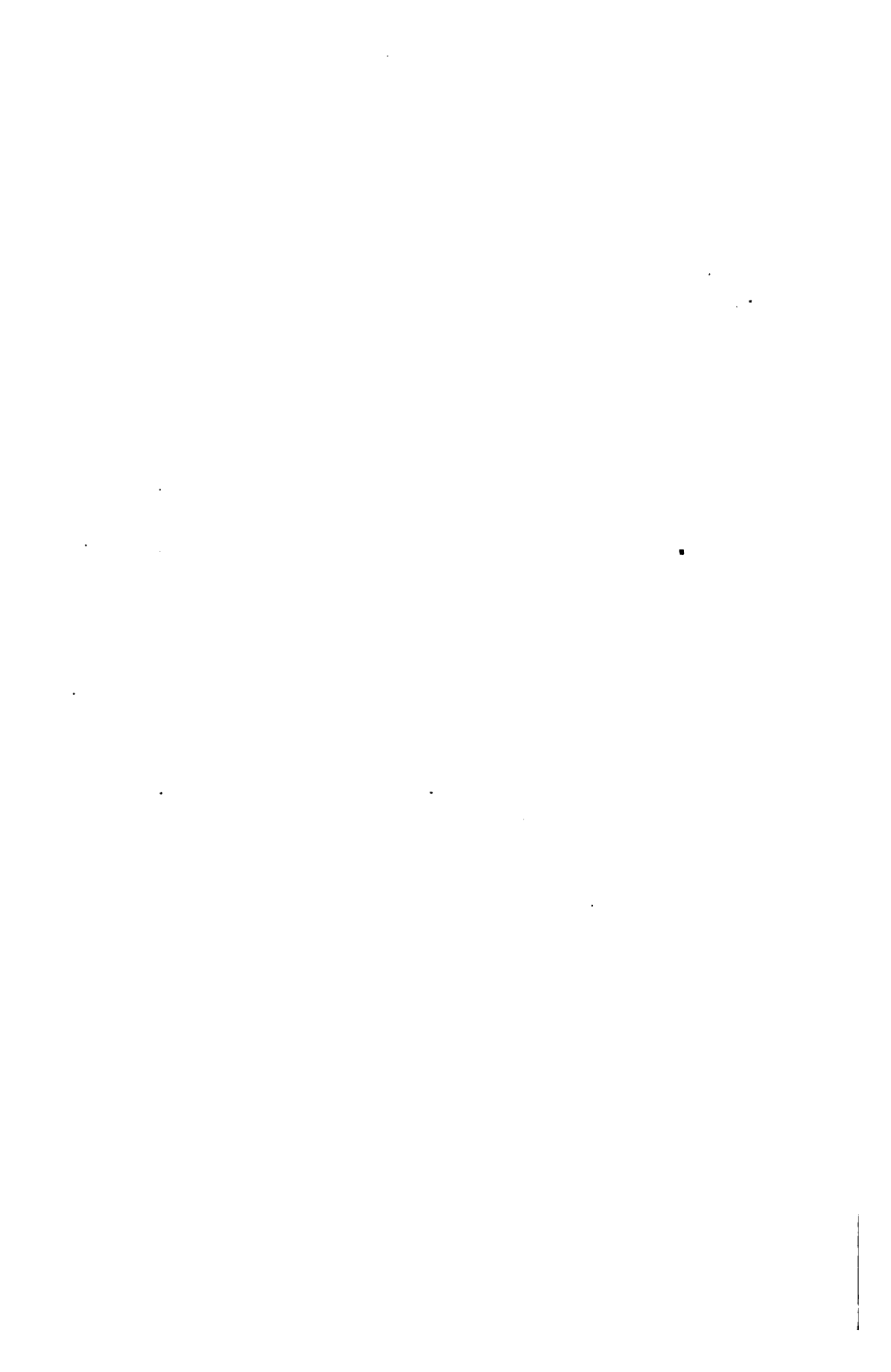
Notwithstanding the fact that the relator has a valid claim against the city of Albany, he is not, in my judgment, entitled to the writ demanded. Chapter 88, Laws of 1879, does not provide how the city of Albany shall pay the expense assumed. The relator is not an officer of the city, or a city laborer, and does not come within the provisions of section 50, title 3 of the city charter.

The bridge was constructed by the State on the express or implied contract of the city of Albany to pay the entire expense. Although the Superintendent of Public Works had the authority to fix the compensation of relator, yet, in the absence of an express provision of law, as stated in section 10, title 6 of the city charter, the claim comes within the language of section 46 of title 3 of the charter, which requires a demand against the city arising upon contract, express or implied, to be presented to the clerk of the common council, in the form prescribed by that section.

I do not think the custom in regard to these payments would justify the mandamus asked for by the relator. The claims should be presented to the clerk of the common council, and in case

they are not allowed or are allowed at less than \$2.25 per day, an action may be brought against the city of Albany, or, perhaps (this I do not decide), mandamus would lie to compel the audit and payment of the claim.

· Motion denied, with \$10 costs.



APPENDIX I.

CIVIL SERVICE STATUTES, RULES, CLASSIFICATION, REGULATIONS, ETC.

**Rules for the Civil Service of the State of New York as Revised
by the New York Civil Service Commission and Approved by
the Governor July 1, 1897. Together with the Regulations
Adopted Thereunder, Instructions to Examiners, Special
Regulations for the Guidance of Applicants, and the Statutes
and Constitutional Provisions Relating to the Civil Service.**

STATE OF NEW YORK.

In the exercise of the authority conferred by chapter 354, Laws of 1883, and the acts amendatory thereof, and by chapter 428, Laws of 1897, and in accordance with the provisions of the ninth section of the fifth article of the Constitution, the following rules are hereby promulgated for the regulation of the civil service of the State, and all other rules are hereby revoked.

Done at the Capitol in the city of Albany, this 1st day of July, in the year of our Lord one thousand eight hundred and ninety-seven.

FRANK S. BLACK,

Governor.

WILLARD A. COBB,

GEORGE P. LORD,

SILAS W. BURT,

Civil Service Commissioners.

**DEFINITION OF THE CIVIL SERVICE, AND ITS
DIVISIONS.**

RULE I.

1. The Civil Service of the State of New York shall be construed as including all offices and positions of trust or employment in the service of the State, the incumbents of which receive

compensation for services or expenses from the treasury of the State or any civil division thereof or by the receipt of official fees, except such military or naval offices and positions as are or may be created under the provisions of Article XI of the Constitution relative to the militia.

2. The civil service of the State shall be divided into the unclassified service and the classified service.

3. The unclassified service shall comprise all elective positions, all positions filled by election or appointment by the Legislature on joint ballot, or by the Senate or Assembly, or by legislative committees, all persons employed temporarily as attendants upon either house during its session, all persons appointed by name in a statute, and all positions filled by appointment by the Governor either upon or without confirmation by the Senate, except officers and employes in his own office.

4. The classified service shall comprise all positions not included in the unclassified service.

DEFINITION OF TERMS.

RULE II.

The several terms hereinafter mentioned whenever used in these rules or any regulations thereunder shall be construed as follows:

1. The term "Commission" indicates the Civil Service Commission of the State of New York.

2. The term "Class" refers to the divisions of the civil service based upon the distinctive methods of appointments to the positions comprehended therein.

3. The term "Group" refers to the divisions in a class based upon the character of the duties of the positions without regard to the salaries received.

4. The term "Subdivision" refers to the divisions of positions in a group more specially arranged according to details for the purpose of examinations identical in whole or in part.

5. The term "Grade" refers to the division of any group or subdivision upon the basis of salary or compensation received.

6. The term "Office" shall be construed to apply comprehensively and restrictively to all such offices, courts, departments, commissions, boards and institutions, as have primary and sole responsibility and are not subordinate administrative divisions.

7. The word "Compensation" shall be construed as the annual salary of the position or its equivalent when stated by the day, week or month, and shall include proper commutation for lodgings and board, or either, when the same are furnished free as a part of such compensation, and such rate of commutation shall be fixed by regulation of the Commission.

8. The term "Veterans" refers to honorably discharged soldiers and sailors from the army or navy of the United States in the late civil war who are citizens and residents of this State.

9. The masculine pronoun "he" and its derivatives shall include the feminine pronoun "she" and its derivatives.

10. Whenever in these rules there is a direction that the Commission shall report any matter to the Legislature it shall be construed as referring to the next ensuing annual report of the Commission to the Legislature as required by law.

GENERAL PROVISIONS.

RULE III.

1. The violation of any of the provisions of the Civil Service acts or of these rules by any person in the Civil Service of the State shall be considered a good cause for the dismissal of such person from the service.

2. No person in the Civil Service of the State shall use his official authority or influence to coerce the political action of any person or body; or shall dismiss or cause to be dismissed, or make any attempt to procure the dismissal of, or in any manner change the official rank or compensation of any person in such service because of his political or religious opinions or affiliations.

3. No question in any examination, or form of application or other proceeding by or under the Commission, or its examiners, shall be so framed as to elicit information concerning, nor any other attempt be made to ascertain, the political or religious opinions or affiliations of any applicant, competitor or eligible,

and all disclosures thereof shall be discountenanced by the Commission and its examiners. And no discrimination shall be exercised, threatened or promised against or in favor of any applicant, competitor or eligible because of his political or religious opinions or affiliations.

4. No recommendation of an applicant, competitor or eligible involving any disclosure of his political opinions or affiliations shall be received, filed or considered by the Commission, by an examining board or by any nominating or appointing officer.

5. No person in the Civil Service of the State shall be obliged to contribute to any political fund or to render any political service; nor shall any such person, directly or indirectly, use his authority or official influence to compel or induce any other person in such service to pay or promise to pay any political assessment.

6. In making removals or reductions or in imposing penalties for delinquency or misconduct, penalties like in character shall be imposed for like offenses and action thereon shall be taken irrespective of the political or religious opinions or affiliations of the offenders.

7. A person holding a position on the date said position is classified under the rules whose appointment was made in conformity with the law and who had been rendering the proper duties of such position, shall be entitled to all the rights and benefits, possessed by persons of the same class appointed upon examination under the provisions of said rules.

8. The Commission shall have authority to prescribe such regulations in pursuance of and for the execution of the provisions of these rules and of the Civil Service Act, as may not be inconsistent therewith, and may prescribe blank forms for all applications, certificates, reports, records and returns required under these rules and the regulations made in pursuance thereof.

APPOINTMENTS TO AND EMPLOYMENT IN THE CLASSIFIED SERVICE.**RULE IV.**

1. In pursuance of the provisions of article V, section 9 of the Constitution and of the Civil Service Acts there shall be provided to ascertain merit for admission to the classified service, examinations to be made under the general direction of the Commission.

2. No person shall be appointed to or employed in any position in the classified service until he shall have passed the examinations for merit and fitness as provided therefor or unless the position to which he is appointed is especially exempt from examination under the provisions of these rules.

3. The classified service shall be divided into four classes, and all positions and employments in said service shall be included in such classes, as hereinafter provided.

DEFINITION OF CLASS I.**RULE V.**

Class I shall include (a) the deputies specially authorized by law to act for and in the place of the head of an officer; (b) one principal cashier for each office, a part of the functions of which are the receipt or disbursement of money other than that applied to the payment of its own expenses, including salaries; (c) the secretaries of State boards and commissions specially named herein; (d) such confidential clerks or other positions as shall be specifically named in this rule; and such class shall comprise the following positions and such other positions as may hereafter be added under the four groups above defined:

Positions in Class I.

In the office of the Governor:

The private secretary.

The military secretary.

The appointment clerk.

The pardon and requisition clerk.

The executive stenographers.

Counsel.

In the office of the Secretary of State:

The deputies.

The chief clerk.

The confidential clerk.

The stenographer.

In the office of the Comptroller:

The deputies.

The confidential clerk.

The stenographer.

In the office of the Treasurer:

The deputies.

The cashier.

The confidential clerk.

The stenographer.

In the office of the Attorney-General:

The deputies.

The assistant in New York city.

The confidential clerk.

The stenographer.

In the office of the State Engineer and Surveyor:

The deputy.

The division engineers.

The confidential clerk.

The stenographer.

In the Insurance Department:

The deputy superintendents.

The cashier.

The private secretary.

The chief actuary.

The confidential examiners.

Two stenographers.

The chief clerk of the tax department.

In the Banking Department:

The deputy superintendent.

The private secretary.

The confidential examiners.

The stenographer.

In the Department of Public Instruction:

The deputy superintendents.

The institute lecturer.

The conductor of institutes.

The confidential clerk.

In the office of the Warden of Auburn Prison:

The industrial clerk.

In the State prisons:

The agents and wardens.

The chaplains.

In the Court of Appeals:

The clerk.

The deputy clerk.

The reporter.

The law examiners.

In the office of the Railroad Commission:

The secretary.

The inspector.

The examiner.

In the office of the Capitol Commissioner:

The private secretary.

In the office of the Prison Commission:

The secretary.

In the Department of Excise:

The deputy and special deputy commissioners.

The secretary to the commissioner.

The financial clerk.

The cashier in the office of each special deputy commissioner.

Counsel.

In the Department of Public Works:

The deputy superintendent.

The assistant superintendents.

The superintendents of repairs.

The private secretary.

The financial clerk.

The consulting and inspecting architect, New Capitol.

The special agents and disbursing clerks to the section superintendents.

The stenographer.

In the office of the State Board of Charities:

The secretary.

The private secretary to the superintendent of State and alien poor.

In the office of the Regents of the University:

The secretary.

The director of examinations.

The honorary university examiners.

The medical examiners.

In the Department of Public Buildings:

The superintendent.

The deputy superintendent.

The paymaster.

In the office of the Commission in Lunacy:

The secretary.

In the State Hospitals, Asylums and Houses of Refuge:

The treasurers.

The chaplains.

The stewards.

The attorney for each State hospital.

In the office of the Board of Claims:

The clerk.

In the office of the Board of Health:

The secretary.

In the Bureau of Statistics of Labor:

The deputy.

The chief clerk.

In the office of the Forest Preserve Board:

The secretary.

The stenographer.

Fire inspectors.

In the office of the Fisheries, Game and Forest Commission:

The assistant secretary.

The confidential clerk to the Shellfish Commissioner.

In the office of the Commissioner of Agriculture:

One assistant commissioner.

One detective.

In the office of the Board of Mediation and Arbitration:

The secretary.

In the office of the Board of Tax Commissioners:

The secretary.

In the office of the Factory Inspector:

The secretary.

In the office of the Commissioners of the State Reservation at
Niagara:

The secretary and treasurer.

In the Weather Bureau at Cornell University:

The meteorologist.

The secretary and expert.

In the Agricultural Experiment Station at Geneva:

The director.

The assistant director.

In the State Reformatory at Elmira:

The chaplain:

In the Industrial School at Rochester:

The parole agent.

The chaplains.

In the Thomas Orphan Asylum:

The kindergartner.

In the Soldiers and Sailors' Home at Bath:

The superintendent.

The adjutant.

The quartermaster.

The assistant quartermaster.

The surgeon.

The assistant surgeon.

In the Onondaga Salt Springs at Syracuse:

The deputy superintendent.

In the office of the Quarantine Commission:

The secretary.

In the office of the Board of Port Wardens:

The secretary.

The collector.

In the office of the Health Officer of the Port of New York:

The deputies.

In the office of the Commissioners of Subways, Brooklyn:

The secretary.

In the Normal Schools:

The principals.

The Superintendent of Weights and Measures.

Woman's Relief Corps Home, Oxford:

All positions, provided that persons appointed are certified to the Commission to be veterans, their wives or widows, army nurses residents of New York, or members of good standing in the Woman's Relief Corps.

In the Courts:

The chief clerk of each court.

One confidential clerk, stenographer, attendant, or other assistant to each judge of the Court of Appeals and of the Supreme Court.

APPOINTMENTS IN CLASS I.

RULE VI.

Appointments may be made to positions in Class I, without examination. Upon formal notice to the Commission of such appointments by the head of an office, certification of the same will be made to the Comptroller or other fiscal officer otherwise authorized to pay a salary to the incumbent of the position to which such appointment is made.

DEFINITION OF CLASS II.

RULE VII.

1. Class II shall include all positions now existing or hereafter created of whatever functions, designations or compensation in each and every branch of the classified service, except such positions as are specifically designated in Class I or Class III, or included in Class IV, arranged in the following groups:

(The subdivisions under the following groups will be found in the regulations.)

Groups Based upon the Character of the Service Rendered.

Group A. Clerks, etc.

Group B. Cashiers, etc.

Group C. Custodians, messengers, etc.

Group D. Engineers, etc.

Group E. Inspectors, etc.

- Group F. Special agents, etc.
- Group G. Law positions, etc.
- Group H. Medical positions, etc.
- Group I. Mathematicians, etc.
- Group J. Scientists, etc.
- Group K. Agriculturists, etc.
- Group L. Instructors, etc.
- Group M. Mechanic, craftsmen, etc.
- Group N. Miscellaneous positions.

The omission in the above classification of any official designation or appellation of a position in the service shall not exclude such position from the classification, as it will be comprised in the group and subdivision to which it belongs by the general definition and specifications of such group and subdivision.

2. The Commission may further subdivide for the purposes of examination the positions in any group or subdivision thereof, so as to test practically the special qualifications requisite for such positions.

3. The classification of all positions shall be governed solely by the respective duties and functions of such positions, and in requesting from the Commission the certification from eligible lists for selection for appointment the heads of offices shall give in detail the duties attached to such positions, and shall name so near as may be the groups and subdivisions that comprise respectively such duties and functions.

4. For the purposes of orderly arrangement and of regulated promotion, the positions in each subdivision of each group shall be divided into grades based upon the rates of annual compensation, as follows:

Grade 1. All positions, the compensation of which is at the rate of less than \$600 per annum.

Grade 2. All positions, the compensation of which is at the rate of \$600 or more, but less than \$900 per annum.

Grade 3. All positions, the compensation of which is at the rate of \$900 or more, but less than \$1,200 per annum.

Grade 4. All positions, the compensation of which is at the rate of \$1,200 or more, but less than \$1,400 per annum.

Grade 5. All positions, the compensation of which is at the rate of \$1,400 or more, but less than \$1,600 per annum.

Grade 6. All positions, the compensation of which is at the rate of \$1,600 or more, but less than \$1,800 per annum.

Grade 7. All positions, the compensation of which is at the rate of \$1,800 or more, but less than \$2,100 per annum.

Grade 8. All positions, the compensation of which is at the rate of \$2,100 or more, but less than \$2,500 per annum.

Grade 9. All positions, the compensation of which is at the rate of \$2,500 or more, but less than \$3,000 per annum.

Grade 10. All positions, the compensation of which is at the rate of \$3,000 per annum or over that amount.

APPOINTMENTS TO POSITIONS IN CLASS II.

RULE VIII.

1. Appointments shall be made to or employment shall be given in all positions in Class II that are not filled by promotion, reinstatement, transfer or reduction under these rules, by selection from those graded highest, according to their standing, as the result of open competitive examinations, except as herein otherwise provided.

2. Whenever a position in the classified Civil Service is to be filled by appointment after a competitive examination, an examination for fitness by or under the direction of the appointing officer may be held at any time for the subdivision in which the position is classified under the rules or regulations of the Commission. Upon notice by such officer that an examination for fitness is desired, the Commission shall immediately transmit to him the names of all persons then on the list of those eligible for merit in such subdivision. Immediately upon the receipt of such a list, the appointing officer shall cause a competitive examination of such persons to be held, and, unless the examination is by the Commission, shall give notice to such persons to appear at a specified time and place for the purpose of being examined in relation to their fitness for the position named in such subdivision. The Commission, upon request of the appointing officer, will conduct and certify such examination for fitness and prepare the eligible list.

The maximum rating for fitness shall be fifty, and the minimum thirty-five. The rating for merit shall be added to the rating for fitness of each candidate. The result so obtained constitutes the eligible list for the particular subdivision, and appointments must be made therefrom in the order of the combined rating of each candidate. The person, officer or board conducting the examination shall upon completing the eligible list certify it to the Commission. If the examination for fitness is conducted by the Commission the eligible list prepared as the result of such examination shall be filed in its office and within five days thereafter a certified copy thereof shall be delivered to the appointing officer who requested such examination. Such an eligible list shall continue for one year from the date of the filing of the merit list by the Commission as the eligible list from which appointments shall be made by such appointing officer from that subdivision, unless a new eligible list is prepared as herein provided; but the appointing officer may at any time hold or require other competitive examinations for fitness of the persons then remaining upon such eligible list, in the same manner and with like effect.

Unless the examination for fitness is conducted by the Commission, the appointing officer shall certify to the Commission that the ratings for fitness were determined by competitive examination as provided by law.

Whenever the sex of the persons whose names are to be certified is fixed by any law, rule or regulation, or is specified in the request for certification, the names only of those of the sex so fixed or specified shall be certified from the merit list, but in other cases such certification shall be made of all persons without regard to sex.

3. In the selection, nomination, appointment or promotion of persons to fill positions in the classified service no regard shall be paid to the partisan political opinions, affiliations or action of any person so selected, nominated, appointed or promoted.

4. Upon the written requisition of an appointing or promoting officer, the Commission will furnish him with the application and examination papers of all the persons certified to him as eligible for merit. All papers furnished upon requisition as above must be returned to the Commission with the notice of selection.

5. Whenever there are urgent reasons for filling a vacancy in any office, and there is no merit list from which an eligible list may be made, or in case all persons whose names are on such eligible list shall decline the appointment, the head of the office may nominate a person to the Commission for noncompetitive examination, and if such nominee shall be certified by the Commission as qualified by merit, he may be appointed temporarily to fill such vacancy until a selection and appointment can be made from the proper eligible list; and if the head of the office, upon the notification that such a merit list is on file with the Commission, shall omit, within thirty days after such notice to make an eligible list and an appointment therefrom, the position shall be considered vacant.

6. In case of vacancy in any position in Class II, where peculiar and exceptional qualifications of a scientific, professional or educational character are required, and upon satisfactory evidence that for specified reasons competition in such special case is impracticable, and that the position can be best filled by the selection of some particular person of high recognized attainment in such qualities, the Commission may suspend the provisions of the rule requiring competition in such case; but no such suspension shall be general in its application to such place, and all such cases of suspension shall be reported to the Legislature with the reasons for the same.

7. The following mentioned positions or employes shall not be subject to examination under these rules:

(a) Any position filled by a person appointed because his residence is conveniently located for the performance of the duties of such position; provided, that the performance of such duties does not occupy all the time of the occupant and that his compensation therefor shall not exceed in any one year the sum of three hundred dollars; and further provided, that local health officers filling such positions shall be practicing physicians of not less than five years' reputable standing and whose nomination or selection is approved by the State Board of Health and so certified to the Commission.

(b) Any military or naval officer of the United States duly detailed or assigned as a special instructor in any educational institution in this State or as instructor of any part of the military or naval forces of the State.

(c) Any person engaged in private business who shall render any professional, scientific, technical or other expert services of an occasional and exceptional character to any State officer and whose compensation in any one year shall not exceed three hundred dollars; provided, that such limitation of compensation shall not apply to any such person employed by the Governor, Comptroller, Attorney-General, or by the Senate or Assembly or any committee thereof, or by appointment by the courts.

8. If a person who is not entitled to certification is certified and appointed, his appointment shall be immediately revoked by the appointing officer upon notification by the Commission.

9. An examination for merit will be held by the Commission once every three months, and a new merit list will be thereupon made, containing the names of all persons appearing upon a former merit list who have notified the Commission of their desire to be continued upon such list, as provided by paragraph 4 of Rule 11, and also the names of such persons as shall have passed such new examination.

APPLICATIONS.

RULE IX.

1. No person shall be admitted to any examination for merit for a position in Class II until he shall have filed an application under oath upon a form prescribed by the Commission and accompanied by such certificates as may be prescribed.

2. Every applicant for examination must be a citizen of the United States and an actual resident of the State of New York at the time of his application; provided, that such requirements as to citizenship and residence may be specially suspended by the Commission as to any position requiring high professional, scientific or technical qualifications, or in cases where through low compensation for services such requirements are disadvantageous to the public interests, but in all such cases, whether of individuals or groups, with the reasons therefor, shall be reported to the Legislature.

3. No application for examination shall be accepted unless the applicant is within the age limitations fixed by the Commission for entrance to the position to which he seeks to be appointed.

4. Whenever the application shows that the applicant is not within the prescribed limits of age or is otherwise not qualified under the rules and regulations, the application shall be rejected. The Commission may, in its discretion, refuse to examine an applicant, or to certify an eligible, who is physically so disabled as to be rendered unfit for his performance of the duties of the position to which he seeks appointment; or who is addicted to the habitual use of intoxicating beverages to excess; or who has been guilty of a crime or of infamous or notoriously disgraceful conduct; or who has been dismissed from the service for delinquency or misconduct within one year next preceding the date of his application; or who has intentionally made a false statement in any material fact, or practiced, or attempted to practice, any deception or fraud in his examination or in securing his eligibility or appointment. Any of the foregoing disqualifications shall be good cause for the removal of an eligible from the service after his appointment.

5. In applications for examination for positions requiring scientific, professional or technical qualifications, the Commission may require evidences of special education for, or of practical experience for a satisfactory term in, such science, profession, art or trade; and shall require the production of such certificates of competency and licenses as are provided by the statutes of this State as necessary to enable the practice of any profession, art or trade.

6. Any application for a position in the civil service made in contravention of the provisions of the ninth and thirteenth sections of the Civil Service Act will be rejected.

EXAMINATIONS FOR MERIT.

RULE X.

1. All examinations by the Commission shall be of a suitable and practical character, involving such subjects as will fairly test the general qualifications of the applicant for the position for which he is examined, and may also include oral examinations or special tests for any particular position requiring any scientific, professional or technical knowledge or manual skill.

2. Under the direction of the Commission the chief examiner will prepare a list of subjects of examination for the several positions in Class II, upon which each applicant must be examined.

3. For the purpose of making examinations of applicants from time to time, as may be required, the Commission shall designate and select a suitable number of persons to be members of boards of examiners at such places as it deems necessary and shall duly commission such persons as examiners; and the Commission may at any time substitute any other person in place of any one so selected. When persons selected as examiners are in the official service of the State, the head of the office in which such persons serve shall be consulted; and in the discharge of their duties as examiners the persons so selected from the official service shall be responsible solely to the Commission, and shall act under its regulations and directions. The members of any board of examiners shall not all be adherents of one political party when other persons are available and competent to serve upon such board.

4. Examinations shall be held at such places and upon such dates as the Commission shall deem most advantageous to the service and convenient for applicants. Previous notice of examinations shall be mailed to all persons who have made application in due form, with copies of all such general or special regulations as the Commission shall prescribe.

5. Whenever physical qualifications are of prime importance in the proper discharge of duties in any position, applicants must pass a physical examination and be certified as qualified in such respect, either before admission to examination, or before record in the proper merit list, or before certification for appointment, as the Commission may determine.

6. No person who has failed in any examination for a position in the classified service shall be admitted within one year from the date thereof to a new examination for the same position.

7. Examination papers shall be rated on a scale of 50, and the subjects therein shall be given such relative weights as the Commission may prescribe. After a competitor's papers have been rated he shall be duly notified of the results thereof.

MERIT LISTS.**RULE XI.**

1. Every competitor who attains an average rating of 35 or over on all the obligatory subjects in any examination for merit shall be eligible for examination for fitness for appointment to the position for which he was examined; and the names of eligibles shall be entered in the order of their average ratings on the proper merit list; provided that the names of the competitors who have passed as above, and whose claims for preference under section 9 of article V of the Constitution have been allowed by the Commission shall be placed in the order of their respective average ratings at the head of the proper merit list.

2. When two or more persons on a merit list have the same average rating, precedence on such list shall be determined by the order in which their applications were filed, but neither priority in the date of application nor of examination will give any other advantage in position on such list.

3. The Commission may include in one merit list the names of persons examined for all the positions in any subdivision of a group, and may so arrange examinations for positions in a group as to combine them in regard to the main qualifications to be tested and with specific variations in other tests as to the distinct subdivisions of the group, so that as many merit lists may be prepared from such examinations as the interests of the service demand. A transfer of names from one merit list to another, prepared as above, may be made under the regulations of the Commission.

4. Within five days after the filing of a merit list the Commission will notify each candidate whose name appears thereon of the date of such filing and the order of his standing on such list, and with such notice shall be served a copy of this rule. The deposit of such a notice in the post-office or branch post-office at Albany, properly addressed, with the postage paid, shall be deemed a sufficient service thereof. Each person whose name appears upon such merit list must notify the Commission at least once every three months, computing from the date of filing the list, that he is willing to accept an appointment, if tendered to

him, and desires to have his name continued on such list. If such a notice is not received by the Commission the name of the candidate shall thereupon be stricken from the list.

If a candidate whose name has been entered upon an eligible list declines or fails to accept an offer of appointment from any officer authorized to appoint from such list, he shall be deemed to have waived his right to appointment and his name shall be stricken from the list.

5. For State positions outside of Albany, the duties of which are confined to a district or locality or are of such a nature as to require intimate knowledge of the district or locality, or in cases where the temporary character or low compensation of the services renders it improbable, in the opinion of the Commission, that persons will be willing to come from a distance to accept such service, the Commission may by regulation provide for separate merit lists for such districts or localities to be restricted to residents therein; but whenever such restriction is made on account of the temporary character or low compensation of the service, it shall be provided that applicants residing outside a district may upon special application be entered upon the list for that district. In all cases where practicable the districts herein provided for shall be so limited that every portion of the State shall be included.

TERM OF PROBATION.

RULE XII.

1. Every original appointment to or employment in any position in Class II shall be for a probationary term of three months, and an appointing or nominating officer in notifying a person selected by him for appointment or employment shall specify the same as for a probationary term only; and at the end of such term, if the conduct, capacity and fitness of the probationer are satisfactory to the appointing officer, his retention in the service shall be equivalent to his absolute appointment, but if his conduct, capacity or fitness be not satisfactory, he may be discharged at any time.

2. Every officer under whom any probationer shall serve during any part of his probation shall carefully observe the quality and value of the services rendered by such probationer and his conduct, and if so required shall report in writing to the proper appointing officer the facts observed by him, showing the character and qualifications of such probationer, and of the service rendered by him, and such reports shall be preserved on file.

TEMPORARY APPOINTMENTS.

RULE XIII.

1. No temporary appointment or employment in Class II shall be made or given, except under the provisions of the fifth section of Rule VIII or as herein provided.

Every officer having the power of such employment shall, previous to making the same, certify to the Commission that the services to be rendered are of a temporary character and shall give the duration and character of the service to be rendered and the rate of compensation to be paid therefor. When the duration of service is certified not to exceed one month, and the need of such service to be immediate and urgent, the appointing officer may select for such temporary service any person on the proper register of those eligible for permanent appointment; subject, however, to the provisions of law giving preference in appointment to certain persons; except that temporary appointments of officers may be made for not more than five days in any case to transfer prisoners from one prison to another, or as substitutes for regular officers who are necessarily absent, engaged in this duty. When the character of the temporary service is exceptional, and in the judgment of the Commission a competitive examination is not practicable, the application of this rule may be suspended, or modified in such manner as the Commission may deem proper.

2. No person appointed under this rule, except those appointed as herein provided for the transfer of prisoners, shall be appointed temporarily a second time unless sixty days shall have elapsed since the termination of his previous term of temporary service, and every temporary appointment without examination

must be reported to the Commission forthwith with the reason for the same.

3. The acceptance by an eligible of a temporary appointment shall not affect his standing on the eligible list for a permanent employment nor shall the period of temporary service be counted as part of the probationary service in case of subsequent appointment to a permanent position.

SHORT-TERM POSITIONS.

RULE XIV.

1. All positions in Class II, where the nature of service is such that it is not continuous through the year, but recurs in each successive calendar year, shall be designated as short-term positions and shall be subject to the provisions of these rules applicable generally to positions in Class II, except as herein otherwise provided.

2. Any person originally appointed to or employed in a short-term position under the provisions of these rules and who has been temporarily separated from the service by the expiration thereof in any year shall be entitled to reappointment to or re-employment in the same position in the next ensuing year upon filing in the office of the Commission, in such form as it may prescribe, a request for such reappointment or re-employment within six weeks previous to and at least thirty days before the date of resumption of such short-term service. The Commission shall certify to the proper appointing or employing officer the names and post-office addresses of the persons who have made such formal requests and they shall be reinstated in the positions vacated by them in the previous year in the order of the date of their original appointment or latest promotion in the several grades, provided, that in the meantime they are not disqualified from any of the causes recited in the fourth section of Rule IX.

PROMOTIONS.

RULE XV.

1. No vacancy in any position in Class II above the lowest grade in any subdivision and group shall be filled by original

appointment by certification from the registers of eligibles whenever there is in the office where the vacancy exists any person holding a position in a lower grade in the same subdivision or group who is fit, meritorious and willing to be promoted and so certified as hereinafter provided; provided, that for original entrance to the position proposed to be filled by promotion there is not required by these rules, in the opinion of the Commission, an examination involving essential tests or qualifications different from or higher than those involved in the examination for original entrance to the position held by the person proposed to be promoted; but this restriction shall not apply in case the name of such person shall be upon the eligible list for such higher position.

2. Promotion shall in all cases be based upon the positive merits and fitness of the person promoted and upon his superior qualifications as shown by his previous service, due weight being given to seniority.

3. In order that such merit and fitness may be properly certified and such superior qualifications may be relatively estimated, there shall be kept in every office, continuous and comparative records of the efficiency, punctuality, attention and general good conduct of all persons employed therein, which records shall be the main factor in competition for promotion.

4. Whenever the head of an office shall deem a written competitive examination to be practicable as a factor in ascertaining the relative merit of those persons otherwise qualified for promotion to a vacancy in his office, the Commission on his formal application may hold such examination and certify the results to the head of the office for his information.

5. Promotions shall be made by regular and successive grades, but if there is no person fit for promotion in the next inferior grade, the selection shall be made from the second inferior grade, and if none there be found fit, then from the third inferior grade, and so on until a suitable person has been found in such grade or grades, or if there be none found in such inferior grades the vacancy shall be filled by appointment under these rules from the proper eligible list of those qualified for appointment to positions in the subdivision of the group wherein the position to be filled is classified.

6. No promotion can be made from a position in one class or group to a position in another class or group, unless the same be specially authorized by the Commission, but a person employed in any grade shall not because of such employment be barred from the open, competitive examination provided for original entrance to any other grade.

7. In case of any vacancy to be filled under this rule by promotion, the head of the office, in his discretion and in accordance with the preceding clauses of this rule, shall make a promotion or appointment to fill such vacancy, and shall certify the same to the Commission in such form as it may prescribe, and shall give in such certificate the specific reasons for such promotion or appointment; or in case the head of the office shall determine that there is no person in his office entitled by merit and fitness and willing to be promoted to such vacancy he shall so certify to the Commission in such form as it may prescribe. A duplicate of any certificate to the Commission by the head of an office, as above provided, whether the vacant position be filled by promotion or original appointment, with the reasons therefor, shall be filed in the office of the officer making it and shall be considered a public record, open to the scrutiny of any one concerned.

8. No recommendation of any person for promotion, whether verbal or written, shall be entertained or received unless made in the ordinary course of duty by his immediate official superiors, and the presentation of any recommendation other than that of such superiors shall be considered an unwarrantable interference with the public service, and the person so recommended may be required to show, before being certified for promotion, that such recommendation was not made by his request or connivance.

TRANSFERS.

RULE XVI.

1. A person who has received an absolute appointment to any position in Class II may be transferred to a position in the same group, subdivision and grade in any other office, provided, that for original entrance to the position proposed to be filled by transfer there is not required by these rules, in the opinion of the Commis-

sion, an examination involving essential tests or qualifications different from or higher than those involved in the examination for original entrance to the position held by the person proposed to be transferred, but this restriction shall not apply in case the name of such person shall be upon the eligible list for the position to which he is proposed to be transferred.

2. No transfer can be made from any position in the unclassified service to any position in the classified service, nor from any position in one class to any position in another class, nor from any position in any grade, subdivision or group in Class II to any different grade, subdivision or group in that class, unless the same shall be specially authorized by the Commission, and such authorization shall be reported with the reasons therefor to the Legislature; provided, that a person who, by promotion or transfer from a position in the classified service, has entered a position, appointment to which is made by the Governor by and with the consent of the Senate, and has served continuously therein from the date of said promotion or transfer, may be retransferred from such unclassified position to the position from which he was so transferred, or to any position to which transfer could be made therefrom.

REINSTATEMENT IN SERVICE.

RULE XVII.

Any person who has held a position by appointment under the Civil Service rules, and who has been separated from the service through no delinquency or misconduct on his part, may be reinstated without re-examination in a vacant position in the same office and in the same group, subdivision and grade, within one year from the date of such separation, provided, that for original entrance to the position proposed to be filled by reinstatement there is not required by these rules, in the opinion of the Commission, an examination involving essential tests or qualifications different from or higher than those involved in the examination for original entrance to the position formerly held by the person proposed to be reinstated.

**CERTIFICATES FOR PROMOTION, TRANSFER AND REIN-
STATEMENT.****RULE XVIII.**

1. Upon the written request of an appointing officer, stating the essential facts in regard to any proposed promotion, transfer or reinstatement, the Commission will, if such promotion, transfer or reinstatement be in accordance with law and the provisions of these rules, issue its certificate of that fact to such officer.

2. All promotions, transfers and reinstatements herein authorized shall be made only after the issuance of such certificate, except those which may be specifically exempted from such condition by regulation of the Commission.

DEFINITION OF CLASS III.**RULE XIX.**

Class III shall include such skilled laborers, attendants and other positions of a minor grade as are named in this rule, provided, that no position the duties of which require the incumbent to come in contact with the inmates of any hospital, asylum, prison, reformatory or like institution of charity or correction, shall be considered that of an unskilled laborer.

Class III shall comprise the following positions and such other positions as may hereafter be added:

Positions in Class III.

In the office of the Comptroller:

The watchman.

In the office of the Treasurer:

The watchman.

In the Insurance Department:

The watchman.

In the Department of Public Instruction:

Porters.

In the Department of Public Buildings:

Porters, upholsterers.

In the Department of Public Works:

The harbor masters.

In the State hospitals, asylums and charitable institutions:

Watchmen, policemen, barbers, supervisors, nurses, attendants, ward-helpers, housekeepers, chefs, cooks, bakers, meat-cutters, laundry, overseers, head laundresses, linemen, plumbers, steamfitters, firemen, master mechanics, carpenters, painters, blacksmiths, foremen, tailors, shoemakers, printers, bookbinders, farmers, dairymen, gardeners, florists, conductors.

In the office of the Fisheries, Game and Forest Commission:

The protectors and foresters.

The assistant oyster protector.

In the office of the Adjutant-General:

The keeper of the military bureau.

The janitor of the military bureau.

In the office of the Chief of Ordnance:

The watchman.

In the Onondaga Salt Springs at Syracuse:

Three inspectors of salt.

Three block inspectors.

The overseers of pumps.

The superintendents of aqueducts and reservoirs.

The inspectors of barrels.

The engineers.

The pumpers.

In the State Prisons:

The machinists.

The assistant matrons.

The foremen, manufacturing department.

The examiners, manufacturing department.

In the Prison for Women at Auburn:

The attendants.

In the State Reformatory at Elmira:

Hospital stewards.

Machinists.

Firemen.

Office boys.

In the State Industrial School at Rochester:

Nurses, housekeepers, patrolmen, yard officers, dining-room officers, dormitory officers, guardhouse officers, farm guards,

gatekeepers, caretakers, attendants, cooks, superintendent of hospital, superintendent of kitchen, milk sterilizer, dentist.

In the House of Refuge for Women at Hudson:

Supervisors, assistant supervisors, watchmen, marshals, firemen.

In the Thomas Orphan Asylum at Versailles:

Attendants, cooks, head farmer.

In the House of Refuge for Women at Albion:

Nurses, cooks, seamstresses, firemen.

In the School for the Blind at Batavia:

Housekeepers, ushers, bakers, cooks, laundresses, firemen, florists, carpenters, yardmen, janitors.

In the Soldiers' and Sailors' Home at Bath:

Cooks, blacksmiths, linemen, stamfitters, firemen, carpenters, nurses.

In the Department of the Quarantine Commission:

Firemen, cooks, boatmen, carpenters.

In the Department of the Health Office of the Port of New York:

Shipkeepers, firemen, fumigators, nurses, watchmen.

EMPLOYMENT IN POSITIONS IN CLASS III.

RULE XX.

1. The positions in Class III must be filled by such persons as upon proper noncompetitive examinations for merit and fitness shall be certified as qualified to discharge the duties of such positions by an examiner or examiners selected or appointed for that purpose, provided, that from time to time the Commission shall transfer positions from this class to Class II, whenever it shall be determined that a competitive examination therefor is practicable. The head of any office, department or institution in which there may be a vacancy or vacancies in any position or positions in this schedule, may name for examination for merit by this Commission a person for each vacancy, and his request for such examination shall be accompanied by his certificate showing that the person named has been examined for fitness, with the result of such examination. The Commission may pro-

vide by special regulation that in any institution where a number of persons are employed in the same grade, the employing officer may name for examination more than one person, in order that there may be a list of qualified persons from which to make an immediate selection in case of vacancy.

2. The Commission shall select, appoint and commission examiners or boards of examiners to determine the merits of persons named for employment in positions in Class III, and they shall be subject to the provisions of the third section of Rule X.

3. Examinations for merit or fitness for positions in Class III shall be such as shall determine the following qualifications:

First.—That the person examined is within the limits of age prescribed for the position or employment to which he has been named;

Second.—That he is properly certified as free from any physical defect or disease which would be likely to interfere with the proper discharge of his duties;

Third.—That his character is such as to qualify him for such position or employment; and

Fourth.—That he possesses the requisite knowledge and ability to enter on the discharge of his duties in the service.

To preserve a uniform standard in such qualifications for like positions and employments in the several institutions and offices of the State service, the Commission, after consultation with the principal officers concerned, may by regulations prescribe uniform limitations and tests for the government of the examiners.

DEFINITION OF CLASS IV.

RULE XXI.

Class IV shall include unskilled laborers, which term shall embrace such laborers as are not included in Class III. Unskilled laborers may be employed without examination.

Positions Classed as Laborers.

In the Department of Public Works:

Patrolmen, lock-tenders, watchmen, foremen, cooks, teamsters, boat-captains, boat-commanders, water-boys, pavers, feeder-tenders, carpenters, reservoir-tenders, pilots, firemen, cranesmen, bridge-tenders, deck-hands, painters, blacksmiths, weigh-masters, divers and janitors.

REPORTS OF APPOINTING OFFICERS.

RULE XXII.

For the purpose of certification of the Comptroller, or other fiscal officer, for the payment of salaries as required by law, and in order that the Commission may keep proper record of the service and of changes in it, each appointing and employing officer from time to time after the date of the promulgation of these rules and upon the date of the official action in or knowledge of each case, shall report to the Commission as required by law, and in such form and manner as it may prescribe, as follows:

(a) Every original appointment or employment whether probational, temporary, or otherwise, with the date of commencement of service and the compensation of the position;

(b) Every failure to accept an appointment under him by a person who has been duly certified, with the reasons, if any, given therefor;

(c) Every discharge at the end of probationary term with the date thereof;

(d) Every vacancy in a position, whether caused by dismissal, resignation or death, with the date thereof;

(e) Every new position with the duties of the same, as defined in Rule VII, and the compensation thereof;

(f) Every position abolished with date of such abolition;

(g) Every change of compensation in a position, with the date thereof;

(h) Every change in the duties of a position that may require its reclassification, with the date thereof;

(i) Every promotion, giving the positions from which and to which made, with the date thereof;

(j) Every transfer, giving the positions from which and to which made, with the date thereof;

(k) Every reinstatement in a position, with the date thereof.

CERTIFICATIONS TO FISCAL OFFICERS.

RULE XXIII.

1. The Commission shall keep in its office an official roster of the classified Civil Service of the State and shall enter thereon the name of each and every person who has been appointed to, employed, promoted or reinstated in any position in such service upon such evidence as it may require or deem satisfactory that such person was appointed to, or employed, promoted or reinstated in the service in conformity with the provisions of law and of these rules. The official roster shall show opposite or in connection with each name the date of appointment, employment, promotion or reinstatement, the class, group, subdivision and grade of and the office in which and the compensation of the position, date of commencement of service, and the date of transfer in or separation from the service by dismissal, resignation, cancellation of appointment, or death.

2. Whenever the name of a person, appointed to or employed, promoted, transferred or reinstated in any position in the classified service, is entered upon the official roster as provided above the Commission shall certify to the Comptroller or other fiscal officer duly authorized to pay or draw a warrant for the payment of the salary of such position, the name, position, office, compensation and date of commencement of service of the person so appointed, employed, promoted, transferred or reinstated; and in like manner shall certify to the officials aforesaid any separation of a person from the service, or other change therein, and the name of any person appointed or employed in the Civil Service of the State in violation of law or of the rules and regulations made in pursuance of law.

3. Upon satisfactory evidence that, with intent to evade the provisions of law and of these rules, any person appointed to or employed in any position in the classified service has been assigned to perform duties other than those for which he was examined and certified, the Commission shall cancel its certification of such person by formal notice to the fiscal and appointing officers, and the appointment or employment of such person shall be void on and after five days from the date of such notice.

POWER OF APPOINTMENT AND REMOVAL.

RULE XXIV.

Subject only to the qualifications required to be ascertained in accordance with these rules, the power of appointment and the responsibility of selection are in all cases in the appointing officer. The power to remove (existing by law) on the part of any officer is not impaired by anything contained in these rules.

COUNTIES, TOWNS AND VILLAGES.

RULE XXV.

These rules shall not apply to the officers of counties, towns or villages.

General Regulations.

ADOPTING ORDER.

The New York Civil Service Commission, under the authority conferred by section 8 of Rule III for the Civil Service of the State of New York, approved by the Governor and promulgated on the 1st day of July, 1897, hereby makes the following regulations, reserving the right to modify the same from time to time, and to prescribe such special regulations as may be expedient for the proper enforcement of the rules aforesaid.

CHIEF EXAMINER.

REGULATION I.

1. The chief examiner shall, subject to the Commission, issue authority to hold all examinations, and shall supervise the preparation of questions and other preliminary arrangements for such examinations, and shall, so far as practicable, attend them. Whenever the special qualifications for a position are of a professional, scientific, technical or expert character, the chief examiner, subject to the Commission, may obtain such advice and assistance from competent and trustworthy sources as may be expedient and available. Such examinations may include oral examinations or special manual or other tests as to any of the requirements for the position. In case a vacancy occurs in any board of examiners during a recess of the Commission, the chief examiner may, when necessary, select a person to fill such vacancy temporarily, pending a permanent selection by the Commission.

2. He shall prepare and submit to the Commission proper schemes for examinations, and forms for blanks and records in connection therewith.

3. He shall take care to secure accuracy, uniformity and justice in the proceedings of all examiners and boards of examiners, and such proceedings and all papers pertaining thereto shall at all times be open to him, and he shall have general charge of all

marking of examination papers, and shall prepare standard instructions for such marking, subject to the approval of the Commission.

4. He shall take care that the rules and regulations are complied with, and shall bring any case of their infraction to the attention of the Commission. It shall be his duty, from time to time, to confer with the heads of offices concerning the regularity, efficiency and convenience of the examinations for the service under them.

5. He shall also, from time to time, inspect the proceedings and papers connected with examinations for the service of cities, and make investigations into complaints regarding such examinations, and make report of such inspections and investigations to the Commission.

6. He shall perform such other appropriate duties as may be specified in these regulations or otherwise assigned to him by the Commission.

SECRETARY.

REGULATION II.

1. The secretary shall keep the minutes of the proceedings of the Commission and have charge of the books, records, papers, official seal and other property in its office.

2. He shall make the proper certification to appointing officers, upon their requisition, of those eligible to appointment or employment, and he shall certify to the Comptroller or other proper fiscal officer the names and other information required by the rules regarding all persons lawfully appointed or employed in, or separated from, the classified service.

3. He shall sign and put the official seal of the Commission upon all warrants of appointment issued to examiners.

4. He shall have general charge of the official roster and register of eligibles and may keep such roster and registers and other like records by the card system, a separate card being kept for each person.

5. He shall receive all applications for examination in Class II and determine the sufficiency thereof.

6. He shall have charge of the accounts of the salaries and expenses of the Commission and its subordinates; shall generally conduct its correspondence, and perform such other appropriate duties as it may assign to him.

7. The stenographer shall act under the general direction of the secretary as his assistant, and shall aid the chief examiner when practicable.

BOARDS OF EXAMINERS.

REGULATION III.

1. Regular boards of examiners shall consist of three or more members, one of whom shall act as secretary, and two or more of whom may conduct an examination in the necessary absence of the others. The secretary shall keep a complete record of the proceedings of the board and of the examinations held by it in such form as the Commission may prescribe. All examinations shall be held under the general direction of the chief examiner.

2. Special boards of examiners will be selected and special regulations for examinations will be issued in such cases as the Commission may deem expedient.

3. Care must be taken by examiners to preserve order and decorum at examinations and to prevent such visitors as they admit from examining the answers of competitors or from obstructing or distracting them by conversation or otherwise. Examiners must not disclose for public information more than the general conditions of the examinations without the details of answers given in examination papers.

4. Boards of examiners for positions in Class III shall examine such persons as are named to them in writing by any officer authorized to employ persons in the positions in that class, and shall only certify such as satisfy the qualifications for such positions as prescribed by the rules and regulations. They shall report to the Commission the names of persons examined by them with other pertinent information, on forms furnished for that purpose, keep on file the minutes of their proceedings, and transmit all the papers with their report to the Commission. The minutes shall at all times be subject to the inspection of the Commission and its agents.

5. Examiners and boards of examiners, in the discharge of their duties, will be governed by such special regulations and instructions as may be prepared by the chief examiner and approved by the Commission.

6. No examiner or person serving under the Commission shall attempt to influence the marking or grading of any competitor in an examination, or the selection, nomination, appointment or employment of any person for, to or in the Civil Service.

APPLICATIONS.

REGULATION IV.

1. All applications for admission to examination shall be made upon the blank forms prescribed and furnished by the Commission, and no one will be admitted who has not made such application in satisfactory form.

2. In every application for examination in Class II, the applicant must state, on oath and in his own handwriting: (1) his full name, residence and post-office address; (2) his term of residence in this State; (3) his citizenship, and, if naturalized, the date and place of his naturalization; (4) his date of birth; (5) his place of birth; (6) his previous employment in the public service, if any; (7) his business or employment for the last preceding five years; (8) his education; (9) if in the army or navy of the United States in the late civil war and honorably discharged therefrom the name of organization or vessel to which attached, date of enlistment or commission, position or rank, date and cause of discharge from the service, and any physical disability incurred in such service; (10) such other information as the Commission may require touching the applicant's fitness for the public service.

3. The application must be accompanied (1) by a certificate of a practicing physician in good repute, that he has examined the applicant, and found him free from any physical defect or disease that would be likely to interfere with the proper discharge of his duties in the position in the civil service sought by such applicant; (2) by the certificates of not less than three nor more than five reputable citizens of this State that they have been

personally acquainted with the applicant for at least one year, and believe him to be of good moral character, of temperate and industrious habits, and in all respects fit for the service he wishes to enter, and that they are willing that such certificate shall be published for public information; and (3) if the applicant is an honorably discharged soldier or sailor of the late war, by the Adjutant-General's certificate of his honorable discharge, or other satisfactory evidence of the same. The applicant must also state in his application the position in the schedule he seeks to enter, and whether he limits such application to any particular department, office or institution.

4. In addition to the information above mentioned, applicants for positions requiring special qualifications shall furnish the evidences, certificates and licenses required under the provisions of section 5 of Rule IX.

5. Defective applications will be suspended and applicants notified to amend the same, but no such notice will be given or opportunity granted a second time.

6. Applications must be filed at least five days before the date of examination to entitle the applicant to enter the same.

7. The date of the reception of all applications shall be indorsed thereon, and entered of record by the Commission, and if the applicants for any position are in excess of a number that can be examined at a single examination, they will be notified to appear in their order on the respective records, provided that veterans shall have precedence in such notification.

8. Applications and accompanying certificates, not returned for correction, will remain on file in the office of the Commission, and under no circumstances will be returned to the applicant.

9. All applications for admission to examinations must be directed to the "New York Civil Service Commission, Albany, N. Y.," stating the position the applicant desires to obtain.

10. Candidates for examination for positions in Class III shall file applications on blank forms prescribed by the Commission, containing such information as the Commission shall deem necessary in regard to their eligibility and fitness for the positions applied for. Such applications may be presented at the time of examination and shall be forwarded to the Commission by the examiners together with the examination papers.

MERIT EXAMINATIONS.

REGULATION V.

1. Examinations for merit will be held from time to time under the provisions of section 9 of Rule VIII for such subdivisions as shall be specially requested by appointing officers for those for which, in the opinion of the Commission, the number of applicants or lack of eligibles renders an examination desirable. The place and date of an examination for any position, when determined, and any other material information in regard thereto, will be posted in the office of the Commission in the Capitol at Albany at least ten days before the date of such examination. When deemed expedient by the Commission, advertisement of examinations will be made in such newspapers as it may direct, but the notice posted in its own office as above provided shall be the only public notice of any examination required.

2. Notice of examination will be mailed ten days previous to the date thereof to each applicant then entitled to enter the same. If an applicant fails to receive due notice of an examination, or gives satisfactory reasons for failure to attend an examination he shall be notified to attend the next examination for the same grade, subdivision and group, provided such examination occurs within one year from the date of filing the original application.

3. Applicants must present themselves promptly at the hour and place specified in their official notification signed by the secretary of the Commission, and no one will be admitted to an examination except upon the production of such notification.

4. General instructions for the conduct of examinations will be prepared by the chief examiner, and when approved by the Commission, shall be deemed a part of these regulations.

5. Noncompetitive examinations for temporary appointments under the provisions of section 5 of Rule VIII shall be in their scope and character the same as for competitive examinations to fill vacancies in the same positions.

6. Whenever an oral examination shall be prescribed as part of any scheme of examinations, a stenographic record of such oral questions and answers shall be made and the transcript thereof shall be preserved with the examination papers or report.

MARKING AND GRADING EXAMINATION PAPERS.

REGULATION VI.

1. So soon as practicable after an examination the papers of the competitors shall be marked and the general average of each ascertained. Such marking and ascertainment shall be under the direction of the chief examiner, and so far as practicable shall be made at the office of the Commission.

2. The marking of each competitor's papers shall be made on the scale of 50, which maximum shall represent the highest attainable accuracy and 0 shall represent entire ignorance. When several papers are included in one examination, each paper may be marked on a scale of 100 or other convenient scale, but in making up the average standing such marks shall be reduced to the scale of 50 by the application of the proper factor. The average of the marking of the several answers upon any one subject shall be the standing on that subject.

3. The relative weights given to the several subjects or qualifications in an examination shall be fixed before the date thereof by the chief examiner under the direction of the Commission.

4. The absolute or general average standing of each competitor will then be made up in form substantially as follows, in accordance with the respective weights accorded to the subjects by the regulations, thus:

Examination of.....

SUBJECTS.	Weight given to subjects.	Standing on subjects.	Product of weight and standing.
1. Writing from dictation.....	3	48.	144
2. Copying from manuscript.....	2	48.5	97
3. Handwriting.....	4	42.5	170
4. Spelling.....	3	44	132
5. Arithmetic.....	4	46.5	186
6. Geography and History.....	1	40	40
7. Constitutional questions.....	1	31.5	31.5
8. Making a summary.....	2	36	72
Total products.....	20	.....	872.5
Divide by sum of weights:			
General average standing.....			43.625

It will be observed that the standing on each subject is multiplied by the weight given that subject and the product placed in the third column, and the sum of these products, divided by the sum of the weights, gives the general average standing.

5. Within five days after the filing of the report of any merit examination, each competitor will be advised by mail by the secretary of the Commission as to the result of his examination and his relative position on the merit list. Prior to that time no inquiries to the Commission, or its officers, will be answered, nor will any letters, explanatory of errors presumed to have been made in an examination, receive any attention.

6. A competitor receiving such notice may, in person or by duly authorized agent, in the presence of any officer of the Commission, inspect his examination papers, and, if in his opinion injustice has been done him, he may within fifteen days after the receipt of notice, appeal to the Commission, specifying particularly and in detail the cause of complaint. Such appeal will be considered by the Commission, and, if necessary, it will direct the revision of the marking or grading of the appellant's papers, or otherwise do justice in the premises.

MERIT LISTS AND REGISTERS.

REGULATION VII.

1. After a merit examination for positions in any group of subdivision in Class II the names of such competitors as are eligible under the provisions of Rule XI shall be entered upon a merit list for such positions in order as follows:

First, the names of veterans in the order of their rating; and second, the names of other eligibles in the order of their rating, provided that where an examination has been held under the provisions of section 3 or 5 of Rule XI the names of all those examined for all the positions in any subdivision of a group may be entered upon a single merit list, or the names in a single examination may be distributed to two or more merit lists under the direction of the Commission. Opposite the name of each eligible shall be entered his post-office address and his rating for merit. The accuracy of all such lists shall be checked by two officials in the office of the Commission.

2. The merit list so prepared shall be entered by the Secretary in the proper place in the Register of Merit Lists, which may be kept by the card system, or otherwise, as deemed most convenient. Whenever there remain on the register any eligibles for any position at the time when the eligibles ascertained by a new examination are to be entered thereon, the names of all the eligibles shall be subject to the above regulation as to the order in which they shall be entered.

3. The term of eligibility for merit shall be one year from the date of filing of the report of the merit examination, subject, however, to the provisions of section 4 of Rule XI.

4. Copies of merit or eligible lists shall not be furnished by the Commission except to the appointing officers having the right of selection from such lists. The lists will be open to public inspection.

5. The certification of merit lists upon the requisition of an appointing or employing officer shall be made in accordance with the provisions of Rule VIII. Such certificate shall contain the names and post-office addresses of the persons eligible for merit together with their ratings for merit.

FITNESS EXAMINATIONS.

REGULATION VIII.

1. Notice of a fitness examination shall be mailed with the postage paid to all persons on the merit list entitled thereto at least six days before the date of such examination. Such notice shall give the date, hour and place of examination and shall also state the number, designation and salary of the positions to be filled from the eligible list resulting from such examination and shall also describe the duties of and qualifications required for such positions, in so far as these are not conveyed by the titles or designations thereof.

2. The person, officer or board conducting any fitness examination shall immediately upon completing the eligible list mail to each candidate appearing at such examination notice of the mark attained by him for fitness and of his general standing and order upon the resulting eligible list.

3. If after a fitness examination the appointing officer shall require a further examination for fitness of persons on the same merit list notice of such examination shall be sent to the persons remaining on the eligible list from the former examination; to all persons whose names have been added to the merit list since that examination, and to all persons absent from the former fitness examination who present to the Commission satisfactory excuse for such absence.

4. When the head of an office shall designate the Commission to hold any fitness examination, he shall with his notice of such designation state fully to the Commission the duties of, and any special qualifications required, for the position or positions to be filled, and the chief examiner, subject to the approval of the Commission, shall thereupon determine whether the required qualifications have been sufficiently tested and determined by the merit examination held for the subdivision in which such position is classified. In case he shall determine that such qualifications have been so tested and determined, he shall give to each candidate on the merit list a mark for fitness equal to that obtained for merit, and the eligible list formed by adding such marks to the marks for merit shall be and have the force of the eligible list required to be formed by section 2 of Rule VIII. But if he shall find that for the proper performance of the duties of the positions to be filled, there are required qualifications not tested by such merit examination, he shall proceed to hold an examination for fitness covering such qualifications in the manner prescribed by the preceding sections of this regulation and by section 2 of Rule VIII. The provisions of this section shall also apply to examinations for positions to be filled by appointment by the Commission.

ELIGIBLE LISTS AND REGISTERS.

REGULATION IX.

1. The person, officer, or board conducting any fitness examination in certifying the resulting eligible list to the Commission shall state that notices were duly mailed to all persons named on the merit list as required by section 1 of Regulation VIII,

with the date of such mailing and the place and time at which the examination was held, and shall report the ratings for fitness of all candidates appearing at such fitness examination, together with the total standings of all such persons, obtained by adding the ratings for fitness to those for merit, and shall certify that the said ratings for fitness were determined by competitive examination and that ratings are so reported for all persons appearing at such examination.

2. Upon receipt of such a report and certificates, the names of those eligible for appointment contained therein shall be entered under appropriate heading in the register of eligibles in order as follows:

First, the names of veterans in the order of their combined standing; and

Second, the names of other eligibles in the order of their combined standing.

Opposite the name of each eligible in such register shall be entered his post-office address and his ratings for merit and for fitness and his combined standing.

CERTIFICATIONS TO THE COMPTROLLER OR OTHER FISCAL OFFICER.

REGULATION X.

1. Immediately upon the receipt of a notification from an appointing officer that the person standing highest on an eligible list has been appointed, the secretary shall certify to the Comptroller or other proper fiscal officer, that such person has been appointed or employed in pursuance of law and the rules and regulations made in pursuance of law, and shall enter the name of the person appointed on the official roster, and in like manner shall certify to the Comptroller or other proper officer the separation of any person from the service or the appointment or employment of any person in violation of law or of the rules and regulations, and at the same time shall make the necessary changes in the official roster in accordance with the facts so certified.

2. Such certificates and entries shall be in the forms prescribed by the Commission and shall comprehend the names of the persons, the position and office in which to be employed or from which separated, the dates of commencement or termination of service, in the latter case giving cause of separation. Where such certificate relates to any appointment or employment contrary to law or the rules and regulations such other information may be given as seems expedient.

ACCOUNTS.

REGULATION XI.

1. All accounts for compensation as examiners or for preparation of questions or marking of answers and papers, or other like expenses of examinations, shall be certified by the chief examiner.

2. All accounts for advertising and other expenses of the Commission, except those for salaries and official expenses fixed by statute, and those certified as above by the chief examiner, shall be certified by the secretary.

3. All accounts certified by the chief examiner and secretary shall be approved by the Commission before payment.

INFORMATION.

REGULATION XII.

1. General abstracts from the provisions of the law, rules and regulations and other pertinent matter, will be published by the Commission from time to time, for the information of appointing officers, applicants, candidates and others concerned.

2. The Commission cannot undertake to answer inquiries relating to cases which are not officially before it for decision, nor can it decide, except in cases of actual candidates, questions respecting the application of the rules and regulations.

3. Particular answers cannot be given to inquiries which are answered expressly or by implication in published regulations or other similar documents.

4. The Commission cannot give any information upon the following points: (a) regarding positions in the unclassified service

or in Class I of the classified service; (b) regarding vacancies in any positions, existing or prospective; (c) regarding the duties of positions except as indicated by their classification; (d) regarding the personal interests of any intending or actual applicant, candidate or eligible.

5. The examination papers of a competitor will be exhibited only to the competitor or his duly authorized representative or to the appointing officer to whom his name is certified.

6. Copies of questions used in examinations cannot be furnished except in cases where they are published by the Commission for general information.

7. The qualifications of applicants and subjects of examination, as prepared from time to time, will be published, but in regard to certain positions in which vacancies are rare the nature and extent of the examinations may not be determined until vacancies occur.

8. Eligible lists may be published with the standing of the persons named in them, but under no circumstances will the names of persons passing below the minimum standing be published, nor will their examination papers be exhibited or any information given about them, except as provided in the fifth section of this regulation.

RESIDENCE AND CITIZENSHIP.

REGULATION XIII.

The restrictions of section 2 of Rule IX as to residence and citizenship shall not apply to the following positions:

a. On account of low compensation:

Guards and overseers, New York State Reformatory.

Attendants, nurses and orderlies in asylums and hospitals and similar institutions.

b. On account of high professional or scientific requirements:

Associates, archivist and librarian in the Pathological Institute of the New York State hospitals.

Technological instructor, assistant technological instructor, manual training instructor, Sloyd instructor, New York State Reformatory.

Editor and librarian, botanist and mycologist, dairy bacteriologist, and assistant chemist, New York Agricultural Experiment Station.

Junior physician.

Medical interne.

PROMOTIONS.

REGULATION XIV.

1. Promotions from positions in one group or subdivision to those in another group or subdivision under the provisions of section 6 of Rule XV shall be allowed in the following cases, upon the issuance of the certificate therefor, as provided in section 2 of Rule XVIII:

From junior clerk to clerk when the candidate shall have attained the age of twenty-one years, on the certificate of the head of the department in which he is engaged that his work has been in all respects satisfactory.

From leveler to assistant engineer, and from rodman to leveler, when the candidate shall have attained a place on the eligible list for such higher position.

From a position in subdivision 7 of Group D to a position in subdivision 6 of Group D when the candidate shall have attained a place on the eligible list for such higher position.

From a position in subdivision 9 of Group D to a position in subdivision 8 of Group D when the candidate shall have attained a place on the eligible list for such higher position.

2. Promotions shall also be allowed in the following cases without the previous issuance of the certificate therefor under section 2 of Rule XVIII:

Office stenographers, from one grade to any higher grade, when the candidate shall have attained a place on the eligible list for such higher grade.

From prison or reformatory guard to prison or reformatory keeper.

From assistant (civil) engineer to resident engineer.

From assistant matron to matron in institutions other than State hospitals.

From assistant steward to steward when the candidate shall have attained a place on the eligible list for stewards.

From junior physician to assistant physician in any grade except first assistant physician.

From deputy inspector to assistant expert examiner in the Department of the Factory Inspector.

COMMUTATION FOR BOARD AND LODGINGS.

REGULATION XV.

The commutation for board and lodgings under section 7 of Rule II shall be as follows:

In the State hospitals \$10 per month or \$2.50 per month for each meal or for lodging.

In other institutions \$12 per month or \$3 per month for each meal or for lodging.

GROUPS AND SUBDIVISIONS OF CLASS II.

REGULATION XVI.

The definitions of and subdivisions under the Groups of Class II named in section 1 of Rule VII, are as follows:

Group A. Clerks, which term shall include all positions the duties of which are of a clerical character, and which are not otherwise specifically provided for herein.

SUBDIVISION 1. Secretaries, chief clerks.

2. Clerks, recorders, registers, whose annual compensation is \$1,200 or more.

3. Clerks, recorders, registers, copyists, whose annual compensation is less than \$1,200.

4. Junior clerks.

5. Bookkeepers.

6. Stenographers and typewriters.

Group B. Cashiers, which term shall include all positions, the duties of which are the actual receipt, custody or disbursement of money or the enforcement of the accountability for the same.

SUBDIVISION 1. Cashiers, tellers, paymasters, disbursing agents or clerks, financial clerks.

2. Auditors, controllers.

Group C. Custodians and messengers, which term shall include all positions, the duties of which are the charge of property or persons, or as attendants.

SUBDIVISION 1. Stewards who are not disbursing agents, superintendents of buildings.

2. Matrons, storekeepers.

3. Prison and reformatory keepers and guards.

4. Protectors of forests, fisheries and game.

5. Messengers, ushers, attendants, janitors, orderlies, marshals, criers, elevator-men, porters, watchmen.

Group D. Engineers, which term shall include all positions where qualifications of an engineering or cognate character are required.

SUBDIVISION 1. Civil engineers.

2. Levelers, surveyors, rodmen.

3. Chainmen.

4. Architects.

5. Draftsmen.

6. Electrical engineers, dynamo tenders, whose annual compensation is \$850 or more.

7. Electrical engineers, dynamo tenders, whose annual compensation is less than \$850.

8. Steam and mechanical engineers, firemen, whose annual compensation is \$850 or more.

9. Steam and mechanical engineers, firemen, whose annual compensation is less than \$850.

Group E. Inspectors, which term shall include all positions, the duties of which are the inspection of materials or workmanship or the supervision of laborers.

SUBDIVISION 1. Superintendents of construction or repairs when not civil engineers or architects.

2. Inspectors of masonry, ironwork and other materials and workmanship.

3. Electrical inspectors.

4. Overseers, foremen.

Group F. Special agents, which term shall include all positions requiring detective ability.

SUBDIVISION 1. Examiners for the Banking Department.

2. Examiners for the Insurance Department.

3. Examiners for the Comptroller and other State officers.

4. Examiners for State boards and commissions.

5. Deputy factory inspectors, special agents for State boards and commissions.

6. Inspectors of milk, butter, cheese, vinegar, etc.

Group G. Law positions, which term shall include all positions requiring some legal knowledge.

SUBDIVISION 1. Law clerks, brief clerks, statutory revision clerks, clerks of courts or in other offices, whose duties require some legal knowledge.

2. Corporation examiners and clerks.

Group H. Medical positions, which term shall include all positions requiring medical or pharmaceutic knowledge.

SUBDIVISION 1. Superintendents of asylums and hospitals, who are necessarily physicians.

2. Physicians, surgeons, medical examiners.

3. Medical internes.

4. Pathologists.

5. Health officers, sanitary experts and inspectors.

6. Pharmacists, apothecaries.

Group I. Mathematicians, which term shall include all positions requiring special mathematical qualifications.

SUBDIVISION 1. Actuaries, statisticians, computers.

2. Expert accountants.

Group J. Scientists, which term shall include all positions requiring special scientific knowledge.

SUBDIVISION 1. Geologists, paleontologists, botanists, entomologists, bacteriologists, chemists.

2. Assistants to the foregoing.

Group K. Agriculturists, which term shall include all positions requiring agricultural or horticultural knowledge, including arboriculture and the breeding and care of domestic animals.

SUBDIVISION 1. Agriculturists, farmers.

2. Horticulturists, gardeners, arboriculturists.

3. Veterinarians.

Group L. Instructors, which term shall include all positions the duties of which are scholastic instruction or to educate or test the ability to instruct.

SUBDIVISION 1. Principals of schools.

2. Teachers in all branches, other than such as are otherwise specially provided for in this classification.

3. Examiners of educational and scholastic qualifications.

Group M. Mechanics and craftsmen, which term shall include all positions requiring special mechanical skill or as tradesmen and not classed as laborers, and whose annual compensation is \$720 or more.

SUBDIVISION 1. Mechanics, craftsmen and tradesmen, whose duties shall be actual service as such.

2. Instructors in any handicraft or mechanical or other trade.

Group N. Miscellaneous positions, which term shall include all positions requiring expert or other qualifications, not embraced in Classes I or III, or in other groups in this class.

SUBDIVISION 1. Superintendents of institutions, who are not necessarily physicians or instructors.

2. Chief and assistant librarians.

3. Interpreters, proof readers, superintendents of hatcheries, and other positions except those specifically named in this classification as in other groups or hereafter included in them.

QUALIFICATIONS AND SUBJECTS OF EXAMINATION.

REGULATION XVII.

The preliminary qualifications and subjects of examination for merit and their relative weights for the following positions in Class II shall be as indicated below:

All applicants must be residents and citizens of New York State except as specified in Regulation XIII above.

Clerk (including Recorder, Register, Copyist).

Subjects.	Relative weights.
1. Spelling	3
2. Writing from dictation	3
3. Addition test	1
4. Letter-writing	4
5. Handwriting	4
6. Constitutions and government of New York and the United States.	2
7. Arithmetic; examples in fundamental rules, fractions, weights and measures, decimals, percentage, interest, etc.	3
Total	<u>20</u>

Time allowed, five hours.

Successful candidates in the bookkeeper, deputy factory inspector, special agent, charities inspector, law clerk and statistician examinations, which include the clerk examination as a basis, may, upon request, have their names entered on the clerk list. Such request should be made at the time of examination.

[The salaries of clerks at original appointment vary from \$600 to \$1,200 per annum. In some cases lower salaries and, very rarely, higher ones are given.]

Junior Clerk.

Age limits 16 and 21 years. Candidates must be graduates of a high school or have an equivalent education according to the standard of the Regents.

Subjects.	Relative weights.
1. Spelling	3
2. Writing from dictation	3
3. Arithmetic and algebra	5
4. Letter-writing	4
5. Handwriting	4
6. Constitutions and government of New York and the United States	3
7. English language and literature	3
Total	25

Time allowed, seven hours.

[Junior clerks are employed principally in the Regents' office, being first employed occasionally at \$20 per month, with increase of \$5 per month at the end of every six months' service. As vacancies occur the occasional employees are appointed permanently. See Regulation XIV.]

Bookkeeper.

Subjects of examination, same as for clerk, with the addition of questions in bookkeeping.

Subjects.	Relative weights.
1. Average for clerkship	1
2. Bookkeeping	1
Total	2

Time allowed, eight hours

[Salaries of bookkeepers at original appointment vary from \$480 and maintenance (in institutions) to \$1,200 per annum.]

Stenographer and Typewriter.

First Grade. Compensation not to exceed \$600 per annum.

Subjects.	Relative weights.
1. Spelling	2
2. Letter-writing	3
3. Handwriting	2
4. Arithmetic (fundamental rules, fractions and United States money)	3

Subjects.	Relative weights.
5. Typewriting from copy	2
6. Accuracy and speed in taking in shorthand and transcribing (with typewriter) matter dictated at the rate of 90 words per minute, for at least five minutes.	8
Total	20

Time allowed, six hours.

Second Grade. Compensation more than \$600 but not more than \$900 per annum.

Subjects.	Relative weights.
1-5. Same as for First Grade.....	12
6. Accuracy and speed in taking in shorthand and transcribing (with typewriter) matter dictated at the rate of 90 words per minute, for at least five minutes.	3
7. Accuracy and speed in taking in shorthand and transcribing (with typewriter) matter dictated at the rate of 120 words per minute, for at least four minutes. ...	5
Total	20

Time allowed, six hours.

Third Grade. Compensation more than \$900 per year.

Subjects.	Relative weights.
1-5. Same as for First Grade.....	12
6. Accuracy and speed in taking in shorthand and transcribing (with typewriter) matter dictated at the rate of 90 words per minute, for at least five minutes.	1
7. Accuracy and speed in taking in shorthand and transcribing (with typewriter) matter dictated at the rate of 120 words per minute, for at least four minutes. ...	3
8. Accuracy and speed in taking in shorthand and transcribing (with typewriter) matter dictated at the rate of 150 words per minute, for at least three minutes. ...	4
Total	20

Time allowed, six hours.

Stenographer, Courts of Record.

Subjects.	Relative weights.
1. Accuracy in taking and rendering words spoken at the rate of 150 per minute, for at least five minutes.....	4
2. Accuracy in taking and rendering words spoken continuously at the rate of 175 per minute, for at least four minutes	6
3. Accuracy and speed in the taking and immediate rendering of question and answer dictated by different voices	5
4. Familiarity with terms commonly used in medicine, navigation, law, mechanics and the trades to be tested by dictation	2
5. Questions as to the duties of a stenographer, form and contents of stenographic court minutes, etc.....	3
Total	20

Typewriting will also be included when essential.

Time allowed, seven hours.

[Salaries, \$2,000 to \$2,500 per annum.]

Matron, State Hospitals and Institutions.

Applicants for the position of matron in a State hospital must be graduates of a State or general hospital training school for nurses.

Subjects.	Relative weights.
1. Spelling	1
2. Writing from dictation.....	1
3. Letter-writing	2
4. Handwriting	1
5. Arithmetic (fundamental rules, fractions and U. S. money)	2
6. Experience, education and practical questions.....	3
Total.....	10

Time allowed, five hours.

[Salaries, \$300 to \$600 per annum, usually with maintenance.]

Prison or Reformatory Guard.

Candidates must pass a thorough physical examination by a physician. They must be not less than 5 feet 7½ inches in height for prison guards, or 5 feet 9 inches for reformatory guards, nor below the minimum weight indicated in the subjoined table:

HEIGHT.		MIN. WEIGHT.	HEIGHT.		MIN. WEIGHT.
Feet.	Inches.		Feet.	Inches.	
5	7½	137	6	—	160
5	8	140	6	1	165
5	9	145	6	2	170
5	10	150	6	3	175
5	11	155			

Subjects.	Relative weights.
1. Writing from dictation.....	1
2. Handwriting	1
3. Spelling	1
4. Arithmetic (examples in numeration, addition, subtraction, multiplication, division, fractions and U. S. money).....	2
5. Writing from memory the substance of verbal orders..	2
6. Experience, general intelligence and ability to execute orders	3
Total.....	16

Time allowed, five hours.

[The salary of guards in the reformatory is \$42 per month; in State prisons \$65 per month.]

Messenger, Usher, Attendant, Janitor, Orderly, Marshal, Crier, Porter, Watchman.

Subjects, weights, and time allowed, same as for Guards.

[Salaries for these positions vary from \$500 to \$1,200 per annum.]

Page, State Departments.

Age limit, 14 and 18 years. Applicants must file a certificate of good character from teacher or employer.

Subjects.	Relative weights.
1. Spelling	2
2. Letter-writing	1
3. Handwriting	1
4. Arithmetic	2
5. Oral examination, marked as to intelligence and ability to execute orders.	4
Total.	10

Time allowed for written examination, two hours.

[Salaries, \$12 to \$18 per month.]

*Civil Engineering Positions.**(a) Assistant Engineer.*

Candidates must have had at least four years' practical experience, one year of which must have been in responsible charge of work. Candidates who have pursued successfully for three years or more a course of study in civil engineering in a school maintaining a standard satisfactory to the examining board, will, upon presenting proper evidence of that fact, be credited with one year of the required experience. Subjects of examination: Education and experience, strength of materials, engineering construction, hydraulics, mechanics of engineering, specifications and estimates. Time allowed, seven hours.

Subjects.	Relative weights.
1. Experience	7
2. Education	3
3. Theoretical and practical questions.	10
Total.	20

The experience of candidates will be marked comparatively from thirty-five for the minimum required experience to fifty for the best experience reported by any candidate. Education will be marked on the following scale:

Graduates of satisfactory civil engineering schools.....	50
Graduates of nontechnical colleges.....	40
Graduates of academies and high schools.....	32.5
Common school education.....	25

With proportionate marks for intermediate grades.

[Salary, \$5 per day, when employed.]

(b) *Leveler.*

Candidates must have at least three years' practical field experience. Candidates who have pursued successfully for three years or more a course of study in civil engineering in a school maintaining a standard satisfactory to the examining board, will, upon presenting proper evidence of that fact, be credited with one year of the required experience. Subjects of examination: Experience and education, mensuration and use of logarithms, plane trigonometry, descriptive geometry, topographical surveying and leveling, mechanics of engineering, theory and use of rod, level and transit. Time allowed, seven hours.

Subjects.	Relative weights.
1. Experience	3
2. Education	2
3. Theoretical and practical questions.....	5
Total.....	10

Education and experience will be marked on the same basis as for assistant engineer.

[Salary, \$4.50 per day, when employed.]

(c) *Rodman.*

No practical experience is required. Subjects of examination for levelers and rodmen: Experience and education, mensuration and use of logarithms, plane trigonometry, descriptive geometry, topographical surveying and leveling, mechanics of engineering, theory and use of rod, level and transit. Time allowed, seven hours.

Subjects.	Relative weights.
1. Education	3
2. Experience	1
3. Theoretical and practical questions.....	6
Total.....	10

Education and experience will be marked on the same basis as for assistant engineer.

[Salary, \$3.50 per day, when employed.]

(d) *Chainman.*

No practical experience is required. Subjects of examination: Arithmetic, use of chain, experience and education. Time allowed, five hours.

[Salary, \$2.50 per day, when employed.]

Steam or Electrical Engineer, Fireman, Dynamo Tender.

Lower Grades, Subdivisions 7 and 9 of Group D.

Subjects.	Relative weights.
1. General and technical or trade education.....	1
2. Experience and personal questions.....	3
3. Practical technical questions.....	6
Total.....	10

Time allowed, seven hours.

Higher Grades, Subdivisions 6 and 8 of Group D.

Subjects.	Relative weights.
1. General and technical or trade education.....	2
2. Experience and personal questions.....	3
3. Practical technical questions.....	5
Total	10

Time allowed, seven hours.

[The scale of wages in the State hospitals is: Chief engineer, \$100 per month; electrical engineer, \$75 per month; assistant steam or electrical engineer, first grade, \$80 per month; second grade, \$50 per month; third grade, \$40 per month, with maintenance. Similar salaries are paid in other institutions.]

Inspector of Public Works.

Subjects.	Relative weights.
1. Technical or trade education, experience and personal questions	4
2. Practical questions on inspection of masonry, timber-work and wood structures, iron-work and earth-work.	6
Total	10

Time allowed, seven hours.

[The pay of inspectors is from \$4 to \$5 per day, when employed.]

Deputy Factory Inspector.

Subjects of examination, same as for clerk, with the addition of geography of New York State, Factory and Bakeshop Laws, and practical questions on factory and bakeshop inspection, including preparation of reports and affidavits and prosecution of violations.

Subjects.	Relative weights.
1. Average for clerkship.....	10
2. Geography of New York State.....	2
3. Factory Law.....	3
4. Factory inspection.....	5
Total	20

Time allowed, seven hours.

[Salary, \$1,200 per annum.]

Special Agent, Department of Excise.

Subjects of examination, same as for clerk, with the addition of geography of New York State and questions on the Liquor Tax Law, the machinery for beginning criminal proceedings and the preparation of affidavits and reports. Applicants must be free from any physical defect that would interfere with the discharge of the duties of the position. They must not have been engaged in the saloon business or the sale of liquor directly or indirectly within one year preceding the date of application, and must never have been convicted of felony.

Subjects.	Relative weights.
1. Average for clerkship.....	5
2. Geography of New York State.....	1
3. Liquor Tax Law, etc.....	4
Total	<u>10</u>

Time allowed, seven hours.

[Salary, \$1,200 per annum.]

Inspector, Board of Charities.

Subjects of examination, same as for clerk, with the addition of geography of New York State, the laws relating to charitable institutions, and practical questions on institution management and inspection.

Subjects.	Relative weights.
1. Average for clerkship.....	10
2. Geography of New York State.....	2
3. Charity Law.....	3
4. Practical questions on management and inspection.....	5
Total	<u>20</u>

Time allowed, seven hours.

[Salary, for men, \$1,200 per annum; for women, \$900 per annum.]

Law Clerk, Courts of Record.

Subjects of examination, same as for clerk, with the addition of questions as to jurisdiction, procedure and practice of law (including the preparation of common forms).

Subjects.	Relative weights.
1. Average for clerkship.....	1
2. Law questions.....	1
Total	<u>2</u>

Time allowed, seven hours.

[Salaries, \$1,500 to \$2,500 per annum.]

Medical Superintendent, State Hospitals.

Applicants must be graduates of a legally chartered medical college, and not less than thirty years of age, and must have had five years' actual experience on the medical staff of a hospital for the insane. Having passed the required examination, candidates will be eligible for appointment for three years.

Subjects.	Relative weights.
1. General medicine.....	1
2. Special medical questions.....	1
3. Questions on State hospital administration.....	2
Total	4

Time allowed, fourteen hours.

[Salary, \$3,500 per annum, and maintenance for self and family, increasing \$100 each year to \$4,500. Medical superintendents in hospitals having a general superintendent receive \$2,500 per annum, and maintenance for self and family, increasing to \$3,000.]

First Assistant Physician.

Applicants must be graduates of a legally chartered medical college. They must be not less than twenty-five years of age, and must have had three years' actual experience on the medical staff of a hospital for the insane.

Subjects.	Relative weights.
1. General medicine.....	1
2. Special medical questions.....	1
3. Questions on State hospital administration.....	2
Total	4

Time allowed, fourteen hours.

[Salary, \$2,000 per annum, and maintenance for self and family, increasing \$100 each year to \$2,500.]

Junior Physician.

Applicants must be graduates of a legally chartered medical college which is recognized by the University of the State of New York, and have had at least one year's actual experience on the medical staff of a public general hospital, or have served at least

one continuous year as medical interne in a State hospital for the insane. Subjects of examination, same as for medical interne. Time allowed, seven hours.

[Salary, \$900 per annum and maintenance, increasing \$100 each year to \$1,200. See Regulation XIV, under which junior physicians may be promoted to second assistants at a maximum salary of \$2,000 without further examination.]

Woman Physician.

Applicants must be graduates of a legally chartered medical college, and must have had one year's experience in a hospital or three years' experience in the general practice of medicine. Subjects of examination, same as for medical interne and junior physician.

[Salary, \$1,000 per annum and maintenance, increasing \$100 each year to \$1,500.]

[NOTE.—Physicians in other institutions will, when practicable, be selected from the appropriate one of the lists for State hospitals, according to the salary of the position.]

Medical Interne.

Applicants must be graduates of not more than three years' standing of a legally chartered medical college, which is recognized by the University of the State of New York. Subjects of examination: Anatomy, physiology, materia medica and therapeutics, chemistry, obstetrics, theory and practice, surgery. Time allowed, seven hours.

[Salary, \$600 per annum and maintenance.]

Apothecary.

Applicants must have a license from the State Board of Pharmacy. The examination consists wholly of practical questions. Time allowed, seven hours.

[Apothecaries in State hospitals receive \$40 to \$50 per month and maintenance; in State prisons, \$60 per month and similar salaries in other institutions.]

Statistician, Labor Bureau.

Subjects of examination, same as for clerk, with the addition of practical questions on labor statistics.

Subjects.	Relative weights.
1. Average for clerkship	5
2. Questions on experience, education and laws relating to the department	2
3. Practical questions on tabulating statistics and making deductions therefrom	3
Total	10

Time allowed, seven hours.

[Salary, \$1,200 to \$1,500 per annum.]

Teacher in State Institutions.

The examinations will be based as far as possible on the uniform examinations of the State Department of Public Instruction.

Subjects for elementary teachers.	Relative weights.
1. Spelling	1
2. Civil government	1
3. American history	1
4. Methods and school economy.....	2
5. Arithmetic	1
6. Geography	1
7. Grammar	2
8. Physiology and hygiene	1
Total	10

Time allowed, eight hours.

[Salaries, \$300 and maintenance to \$800 per annum.]

For advanced teachers and teachers of specialties and trades, special examinations will be held from time to time as required.

Examiner, Regents of the University.

The work of appointees consist in marking the papers of pupils who have taken the Regents' examinations.

Candidates must be graduates of a high school, or have an equivalent education according to the standard of the Regents.

Candidates must choose and qualify in one or more of the following groups of subjects:

1. English language.
2. English literature (including American and translations).
3. German language and literature.
4. French language and literature.
5. Latin language and literature.
6. Greek language and literature.
7. Mathematics (arithmetic, algebra, geometry and trigonometry).
8. Astronomy, physics and chemistry.
9. Physical geography and geology.
10. Botany, zoology and physiology and hygiene.
11. Economics.
12. History of New York and the United States; civics.
13. History of Greece and Rome.
14. History of England and France.
15. Drawing.

The examination in each group or subject consists of questions on the subject-matter covered by the analogous Regents' examinations. Time allowed for mathematics, six hours; for other groups, three hours each.

[Salaries of junior examiners, \$600 to \$720 per annum; examiners, \$720 to \$900 per annum. For vacancies in positions of senior examiners, salaries, \$900 to \$1,200; special examinations may be held when required.]

Court Interpreter.

Candidates may qualify as interpreter in any one or more of the following languages: German, Spanish, Italian, French, Swedish and Hebrew jargon.

The subjects of examination and the relative weights are as follows:

Subjects.	Relative weights.
1. Written translations from English into the foreign language, and vice versa.....	2
2. Translating dictation from English into the foreign language, and vice versa.....	3
3. Oral interpreting.....	3
4. Character, experience and general intelligence, to be marked from a written examination, an oral examination and testimonials, regard being had to proficiency in other foreign languages.....	2
Total	10

Time allowed for each language, three hours.

[Salaries vary from \$1,200 to \$2,000 per annum.]

Other Positions.

For the following named positions the examinations will relate to the duties of the position and the knowledge and experience required for their performance, at least sixty per cent. of the total weight being given to the practical questions:

Architectural draughtsmen. Time, two days of seven hours each. [Salaries, \$2.50 to \$4 per day.]

Engineering draughtsmen. Time, two days of seven hours each. [Salaries, \$4 to \$5 per day.]

Chemists, Agricultural Department. Analysis of dairy products. Time, seven hours. [Compensation according to work performed.]

Chemists, Agricultural Experiment Station. Time, seven hours. [Salary, \$600 per annum.]

Butter experts. Time, seven hours. [Salaries, \$720 to \$1,200 per annum.]

Milk experts. Time, seven hours. [Salaries, \$720 to \$1,200 per annum.]

Cheese experts. Time, seven hours. [Salary, \$1,220 per annum.]

Vinegar experts. Time, seven hours. [Salaries, \$720 to \$1,200 per annum.]

Library assistants. Time, seven hours. [Salaries, \$480 to \$600 per annum.]

[Note.—The positions named above include substantially all those for which the Commission undertakes to keep standing merit lists. Special examinations are held from time to time, as vacancies occur, for many other positions. Among those for which such examinations have been held in the past are the following:

	Salary, per annum.
Assistant, agricultural experiment station.....	\$600
Assistant steward.....	900
Associate in anthropology, pathological institute.....	900
Associate in bacteriology, pathological institute.....	500
Associate in biology, pathological institute.....	500
Associate in comparative neurology, pathological institute.....	750
Associate in pathology, pathological institute.....	1,200
Associate in physiological chemistry, pathological institute.....	900
Associate in psychology, pathological institute.....	500
Director of schools, Elmira Reformatory.....	1,200
Director of trade schools, Elmira Reformatory.....	1,200
Editor and librarian, agricultural experiment station.....	1,800 and house rent.
Electrical expert, Railroad Commission.....	3,000
Expert penman.....	480
Horticulturist, agricultural experiment station.....	600
Inspector of English, Regents' office.....	2,400
Inspector of literature, Regents' office.....	3 000
Inspector of teachers' training classes, Department of Public In- struction.....	2,500
Instructor in bookbinding, State Industrial School.....	540 and maintenance.
Instructor in care and firing of boilers, State Industrial School.....	540 and maintenance.
Instructor in carpentry, State Industrial School.....	540 and maintenance.
Instructor in domestic science, House of Refuge, Hudson.....	500 and maintenance.
Instructor in manual training, State Industrial School.....	540 and maintenance.
Instructor in manual training, Elmira Reformatory.....	1,200
Instructor in molding, Elmira Reformatory.....	984
Instructor in pattern-making, State Industrial School.....	540 and maintenance.
Instructor in piano tuning, State School for the Blind.....	800
Instructor in Sloyd, Elmira Reformatory.....	860
Instructor, military, State Industrial School.....	1,000
Instructor, military, Elmira Reformatory.....	1,200
Instructor, assistant technological, Elmira Reformatory.....	600
Librarian, Supreme Court Law Library, New York city.....	2,000
Librarian, Supreme Court Law Library, Newburgh.....	600
Medical stenographer, pathological institute.....	900
Pathological clerk, pathological institute.....	900
Statistical clerk, Department of Public Instruction.....	2,100
Superintendent of cabinet industry, Auburn Prison.....	3 per day.
Superintendent of cloth-making industry, Auburn Prison.....	3 25 per day.
Superintendent of Goodyear shoe industry, Sing Sing Prison.....	1,200
Superintendent of knitting industry, Clinton Prison.....	1,200
Superintendent of printing industry, Sing Sing Prison.....	1,200
Telegrapher, Elmira Reformatory.....	600
Translator, Department of Public Instruction.....	1,200

EXAMINATIONS IN CLASS III.

REGULATION XVIII.

The principal positions in Class III are those of skilled laborers, attendants, nurses, cooks and similar employes in the State hospitals and like institutions.

The character of the examinations in Class III will be governed by the nature of the employment which those nominated are respectively called upon to enter. Applicants will, in most cases, be required to write from dictation, and to add, subtract, multiply and divide simple numbers. In addition to such written examination, candidates will be required to show such practical knowledge of the duties of the position for which they have been nominated as will satisfy the examiners that they possess the requisite qualifications.

EXAMINATIONS FOR PROMOTION.

REGULATION XIX.

Promotion examinations will be held from time to time as required for the same as shall be made by those having the power of appointment. Promotion will be based in all cases upon the positive merit of the person promoted, and upon his previous service, as shown by the comparative records of the office or institution in which he has been employed, and upon the certificate of his immediate official superior that his efficiency and conduct during his past service have been in all respects satisfactory and entitles him to favorable consideration. The form of the examination will be varied as the necessities of the case may require. Promotion examinations will, as far as practicable, be competitive.

ALBANY, *September 15, 1897.*

By the Commission.

Attest;

CLARENCE B. ANGLE,

Secretary.

Instructions to Examiners.

In order that the proceedings at all places may be uniform, the following instructions are given for the guidance of those selected by the Commission as examiners to conduct the competitive examinations for the State service:

1. General instructions.—All necessary arrangements for the examination room and its proper furniture should be completed prior to the date of examination. Examiners are referred to the last clause of section 3 of the Civil Service Act, wherein permission is granted to use certain public buildings. The desk should be arranged so that competitors can not communicate with each other or copy each other's papers. There should be at least twenty-five square feet of table for use of the examiners, and this should be so placed that supervision may be had of every desk. Prior to the examination, each desk should be supplied with a copy of the "Instructions to Competitors." The attention of all concerned is respectfully invited to the fifth section of the Civil Service Act, which makes penal certain offenses.

2. Examination questions, stationery, etc.—The questions will be sent by mail or express in sealed envelopes from the office of the Commission so as to reach each place of examination at least twenty-four hours before the time of examination, and should be deposited with seals intact, in some secure place. An accompanying package will contain the stationery, envelopes and declaration sheets.

3. Instructions regarding the admission of candidates to examinations.—Each notified applicant must present as a warrant for his appearance, the official notification signed by the secretary of the Commission, and no one should be admitted to the examination who does not present such notification. This notification will be taken up by the examiner, and the candidate

will then be supplied with one of the numbered "Declaration Sheets" and accompanying envelope. He should be cautioned to make a note of the examination number, and should then be required to fill out the declaration sheet, seal it in the envelope, and return it to the examiners. No applicant presenting himself after the hour set for the examination should be admitted. The time consumed in these preliminaries should not exceed half an hour and will not be counted as part of the total time allowed candidates.

4. Commencement of examination.—All being properly seated, the examiners should break the seals and open the package of examination questions and give to each candidate the first sheet. To avoid interruption and disturbance, the exercises in spelling, dictation, time test in addition, etc., which must be given to the whole class in unison will be given at the beginning of the series. As each of these exercises is finished all the papers will be collected and the next numbered exercise given. After all these subjects have been completed each candidate should receive the next sheet of questions when he completes and hands in the preceding one, without regard to the progress of other candidates.

5. No information or aid to be given candidates.—Only general explanations should be given to candidates, and those should be limited to methods of procedure. No information or aid in solving questions should be permitted from any source, and vigilance should be exercised to prevent the use of any book or manuscript for such purpose, or copying from the papers of another candidate. No candidate should be allowed to leave the room while engaged upon a paper; if he does so, the question sheet must be taken up and must not be returned to him. One examiner should always be present in the examination-room.

Whenever practicable all candidates proposing to leave the room for luncheon will be required to do so at the same stage in the examination.

6. Examiners to preserve order, etc.—The examiners will preserve order and decorum, and no conversation or universal noise by the candidates should be permitted. The use of tobacco

in the examination-room cannot be allowed. They should not allow any visitors admitted by them to distract the attention of the candidates. The natural nervousness of candidates under examination is apt to be increased by the consciousness that they are observed, or their work scrutinized by those not officially in charge. Visitors should not be permitted to inspect the answers of candidates. Special care should be taken that nothing regarding the work of the candidates is procured for publication. The examiners hold all the papers in trust for the Commission.

7. Time allowed for examination.—The time occupied in the examination on obligatory subjects will be announced in the official notice of the examination. Should there occur an accidental delay in opening proceedings, or their suspension through any unforeseen cause, the examiners, will see that the full period is allowed, but in no case should such allowance be exceeded. No allowance is made for lunch-time. At the time of closing the examination all papers finished and unfinished will be taken up.

8. Reporters.—All reasonable information should be given to the press as to positions examined for and number of candidates, etc., but reporters should not be allowed to inspect questions or answers or to take the names of candidates for publication.

9. Copies of questions.—Candidates should not be allowed to retain question sheets: if they desire copies of the questions they should be referred to the office of the Commission at Albany.

10. Disposition of the papers.—At the conclusion of the examination, the examiners (other than the board at Albany) will carefully pack all the papers and extra supplies and forward them by express to

THE NEW YORK CIVIL SERVICE COMMISSION,

Albany, N. Y.

Special Regulations for Guidance of Competitors.

There are no fixed dates for examinations. Applicants of record will be notified of the time and place of examination.

As provided by the Civil Service rules, the following special regulations are issued for the guidance of applicants who may appear as candidates in the competitive examinations for the State service.

1. Applicants must appear promptly.—Applicants must present themselves punctually at the times and places specified in their official notifications. No one will be admitted except upon the production of such notification signed by the secretary of the Commission.

2. General instructions.—Each applicant will be given a numbered declaration sheet; he will make a note of this number, fill out the declaration sheet, seal it in the accompanying envelope, filling all the blanks on the envelope, and return it to the person in attendance, and will then be admitted as an accepted candidate. The number on the declaration sheet is known as the “examination number,” and such number and the name of the city where the examination is held must be put at the top of every paper used by the candidate in the examination. This number is necessary as a means of identifying the papers with the name of the candidate when the envelope is opened. The name of the candidate must not appear on any examination paper. The examination number is so important that the attention of each applicant is particularly directed to the necessity of noting it correctly and entering it on every sheet of his examination papers.

3. Examiners, authority of.—The examination will be in charge of examiners appointed by the Civil Service Commission, who will decide all matters and preserve order. They must be obeyed in all respects and are authorized to expel any one guilty of unseemly or disrespectful conduct.

4. Regarding the writing of answers, etc.—Paper is given each candidate for experimental calculations, but in solving the arithmetical problems the entire process must be given on the paper handed in. A simple answer, without such process, will not receive a maximum mark, even if correct. It is for the interest of the candidates that the full operation be thus shown, since the examiners may thus detect any errors occurring through inadvertence, which might otherwise be attributed to ignorance of methods. With each finished paper, the experimental calculations must be handed in, for destruction.

5. Candidates not to leave, when.—No candidate can be allowed to leave the examination-room until he has completed the paper on which he is engaged. No changes or corrections in papers can be made after they are given to the examiners.

6. Conversation, etc., not allowed.—No conversation or disturbing noise or actions will be allowed. Whenever a candidate desires an explanation or has completed a paper and wishes the next one he will hold up his hand and one of the examiners or attendants will visit his desk.

7. Books or manuscripts not allowed.—Candidates are warned not to bring with them for consultation any books or manuscripts; any use of such assistance, either in the examination-room or elsewhere during the examination will lead to the rejection of the offender's papers.

8. Penalty for copying from another paper.—The same penalty will be incurred by any candidate who copies from the paper of another or permits his own paper to be copied, or who receives or gives assistance of any kind, or who writes upon his papers any irrelevant or disrespectful remarks.

9. Candidates advised to bring luncheons.—No allowance is made for lunch-time. Candidates are recommended to bring their luncheons with them. It is desirable to complete the examination in a single day, and the time consumed in going out for a meal would seriously abridge a candidate's available time for work.

10. Time allowed, etc.—The time allowed for the obligatory examination will be announced in the official notice of the examination. This time cannot be extended, but the examiners will not include any general delay, interruption or suspension of proceedings through accidental cause. In this connection candidates are advised, as a precautionary measure, to carefully study the scheme of examination, in order to make an approximate allowance of time for each subject. Ample time will be allowed, but candidates are often apt to waste so much time in reviewing and recasting their work, and generally without advantage, that they are hurried in the later subjects, and so, often do themselves an injustice which cannot be repaired.

Civil Service Statutes.

Laws of 1883, chap. 354.—An act to regulate and improve the Civil Service of the State of New York.

Commission created; commissioners, appointment of, etc.—
Section 1. The Governor is authorized to appoint, by and with the advice and consent of the Senate, three persons, not more than two of whom shall be adherents of the same party, as Civil Service Commissioners, and said three commissioners shall constitute the New York Civil Service Commission. They shall hold no other official place under the State of New York. The Governor may remove any commissioner, and any vacancy in the position of commissioner shall be so filled by the Governor, by and with the advice and consent of the Senate, as to conform to said conditions for the first selection of commissioners. The three commissioners shall each receive a salary of \$2,000 a year. And each of said commissioners shall be paid his necessary traveling expenses incurred in the discharge of his duty as a commissioner.

Duties of Commission; rules, what to provide for.—§ 2. It shall be the duty of said Commission.

First. To aid the Governor, as he may request, in preparing suitable rules for carrying this act into effect; and when said rules shall have been promulgated, it shall be the duty of all officers of the State of New York, in the departments and offices to which any such rules may relate, to aid, in all proper ways, in carrying said rules, and any modification thereof, into effect.

Second. And, among other things, said rules shall provide and declare, as nearly as the conditions of good administration will warrant, as follows:

1. For open competitive examinations for testing the fitness of applicants for the public service now classified or to be classified

hereunder. Such examinations shall be practical in their character and, so far as may be, shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of that service into which they seek to be appointed.

2. All the offices, places and employments so arranged or to be arranged in classes shall be filled by selections from among those graded highest as the results of such competitive examinations.

3. There shall be a period of probation before any absolute appointment or employment aforesaid.

4. Promotion from the lower grades to the higher shall be on the basis of merit and competition.

5. No person in the public service is for that reason under any obligation to contribute to any political fund, or to render any political service, and no person shall be removed or otherwise prejudiced for refusing to do so.

6. No person in said service has any right to use his official authority or influence to coerce the political action of any person or body.

7. There shall be noncompetitive examinations when competition may not be found practical.

8. Notice shall be given in writing by the appointing power to said Commission of the person selected for appointment or employment from among those who have been examined, of the place of residence of such persons, of the rejection of any such persons after probation, of transfers, resignations and removals, and of the date thereof, and a record of the same shall be kept by said Commission. And any necessary exceptions from said eight fundamental provisions of the rules shall be set forth in connection with such rules, and the reasons thereof shall be stated in the annual reports of the Commission.

Third. Said Commission shall, subject to the rules that may be made by the Governor, make regulations for, and have control of such examinations, and, through its members or the examiners, it shall supervise and preserve the records of the same; and said Commission shall keep minutes of its own proceedings.

Fourth. Said Commission may make investigations concerning the facts, and may report upon all matters touching the enforcement and effect of said rules and regulations, concerning the action of any examiner or board of examiners hereinafter provided for, and of its own subordinates, and those in the public service, in respect to the execution of this act; and, in the course of such investigations, each commissioner and their secretary shall have power to administer oaths.

Fifth. Said Commission shall make an annual report to the Governor for transmission to the Legislature, showing its own action, the rules and regulations and the exceptions thereto in force, the practical effects thereof and any suggestions it may approve for the more effectual accomplishment of the purposes of this act.

Chief examiners, secretary, messenger, etc.; duties and salaries of; boards of examiners, etc.; public buildings, use of.—

§ 3. Said Commission is authorized to employ a chief examiner, a part of whose duty it shall be, under its direction, to act with the examining board so far as practicable, whether at Albany or elsewhere, and to secure accuracy, uniformity and justice in all their proceedings, which shall be at all times open to him. The chief examiner shall be entitled to receive a salary at the rate of \$3,600 a year, and he shall be paid his necessary traveling expenses incurred in the discharge of his duty. The Commission is authorized to employ a secretary, who may be one of its own number, who shall receive a compensation of \$1,000 per annum, and who shall also be paid his necessary traveling expenses incurred in the discharge of his duty, and also a person to act as stenographer and copyist, who shall be entitled to receive a compensation of \$1,000 a year, or in its discretion, may from time to time employ stenographers and copyists at an expense not to exceed in the aggregate the sum of \$1,000 a year. The Commission may appoint a messenger, to act also as clerk, at a salary not exceeding \$900 a year, and may dismiss him at pleasure. The Commission may, at Albany, and in any other part of the State where examinations are to take place, designate and select a suitable number of persons in the official service of the State of New York, after

consulting the head of the department or office in which such person serves, or in its discretion, persons not in the official service, to be members of boards of examiners, and may at any time substitute any other person in or out of such service in place of any one so selected. Any person not at the time in the official service of the State, or of any political division thereof, serving as a member of the board of examiners, shall be entitled to compensation for every day actually and necessarily spent in the discharge of his duty as examiner at the rate of \$5 a day; but the aggregate compensation of any such examiner shall not exceed \$100 in any year. It shall be the duty of the officers of the State of New York, or of any political division thereof, at any place outside of the city of Albany, where examinations are directed by said rules or by said board to be held, to allow the reasonable use of the public buildings, and to light and heat the same for holding such examinations, and in all proper ways to facilitate the same. (Thus amended by Laws of 1884, chap. 357.)

Rooms for Commission; Commission to procure stationery, etc.—§ 4. It shall be the duty of the trustees of public buildings, designated by chapter 349 of the Laws of 1883, to cause suitable and convenient rooms and accommodations to be assigned or provided, and to be furnished, heated and lighted, at the city of Albany, for carrying on the work of said Commission and said examinations, and said Commission may order the necessary stationery, postage stamps, an official seal and other articles to be supplied, and the necessary printing to be done for its official use. And the cost and expense thereof, and the several salaries, compensations and necessary expenses of the Commission, upon the same being stated in detail and verified by affidavits as the Comptroller may direct, shall be paid monthly from any money in the treasury not otherwise appropriated. (Thus amended by Laws of 1884, chap. 357.)

Misdemeanor to obstruct right of examination, etc.; false representation.—§ 5. Any commissioner, examiner, copyist or messenger herein mentioned, or any other person who shall wilfully and corruptly, by himself or in co-operation with one or more

persons, defeat, deceive or obstruct any person in respect of his or her right of examination according to any rules or regulations prescribed pursuant to the provisions of this act, or who shall wilfully, corruptly and falsely mark, grade, estimate or report upon the examination or proper standing of any person examined pursuant to the provisions of this act, or aid in so doing, or who shall wilfully and corruptly make any false representations concerning the same, or concerning the person examined, or who shall wilfully and corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, or to be examined, shall for each offense be deemed guilty of a misdemeanor. (Thus amended by Laws of 1884, chap. 410.)

Clerks, etc., to be classified.—§ 6. Within four months after the expiration of the present session of the Legislature, it shall be the duty of the Governor to cause to be arranged in classes the several clerks and persons employed or being in the public service, for the purposes of the examination herein provided for, and he shall include in one or more of such classes, so far as practicable, all subordinate places, clerks and officers in the public service of the State.

Officers must report, etc.—§ 7. No officer or clerk shall be appointed, and no person shall be admitted to or be promoted in either of the said classes now existing, or that may be arranged hereunder pursuant to said rules, until he has passed an examination, or is shown to be specially exempted from such examination, in conformity herewith. No elective officer, and no person merely employed as a laborer or workman, shall be required to be classified hereunder; nor, unless by the direction of the Senate, shall any person who has been nominated for confirmation by the Senate be required to be classified or to pass an examination. It shall be the duty of each State officer or board of State officers appointing or employing any officer, clerk or other person, in the public service of the State, in either of said classes, forthwith on such appointment or employment, to report to the Civil Service Commission the name of such appointee or employee, the

title or character of his office or employment, and the date of the commencement of service by virtue thereof; and forthwith, on the termination of such service to report to said Commission the fact and date of such termination. It shall be the duty of said Commission to keep in its office a complete record, open to public inspection at all reasonable hours, of all officers, clerks and other persons in the public service of the State, in either of said classes, appointed or employed therein in pursuance of law, and of the rules and regulations made in pursuance of law, showing in each case the title or character of the office or employment, and the date of the commencement of service by virtue thereof; and also a complete record, so far as practicable, in like manner, of all officers, clerks or other persons in the public service of the State, in either of said classes, appointed or employed therein in violation of law, or of the rules and regulations made in pursuance of law. It shall be the duty of the said Commission to certify to the Comptroller the name of every officer, clerk or other person in the public service of the State, in either of said classes, appointed or employed therein in pursuance of law and of the rules and regulations made in pursuance of law, stating in each case the title or character of the office or employment, and the date of the commencement of service by virtue thereof; and, in like manner, to certify to the Comptroller, the name of each officer, clerk or other person in the public service of the State, in either of the said classes, appointed or employed therein in violation of law or of the rules or regulations made in pursuance of law; and to certify to the Comptroller, in like manner, every change occurring in any such office or employment forthwith, on the occurrence of the change. It shall be unlawful for the Comptroller to draw his warrant for the payment of any salary or compensation to any officer, clerk or other person in the public service of the State, in either of said classes, who is not so certified as having been appointed or employed in pursuance of law and of the rules and regulations made in pursuance of law. Any officer, clerk or other person entitled to be certified by the said Commission to the Comptrol-

ler as having been appointed or employed in pursuance of law and of the rules and regulations made in pursuance of law, and refused such certificate may maintain a proceeding by mandamus to compel the Commission to issue such certificate. In each city of the State in which rules and regulations have been adopted under the provisions of this act, any officer of such city whose duty it is to sign or countersign warrants, shall not draw, sign or issue, or authorize the drawing, signing or issuing, of any warrant on the treasurer or other disbursing officer of such city for the payment of salary to any person in its service whose appointment has not been made in pursuance of this act, and the rules in force thereunder. (Any sums paid contrary to the provisions of this section may be recovered from any officer signing or countersigning warrants for the payment of the same, and from the sureties on his official bond, in an action in the Supreme Court of the State, maintained by a citizen resident therein, who is assessed for and is liable to pay, or within one year before the commencement of the action, has paid a tax therein. All moneys recovered in any action brought under the provisions of this section must, when collected, be paid into the treasury of the city. (Thus amended by Laws of 1894, chap. 681.)

• Mayors of cities to prescribe regulations, etc.; after three months persons not to be appointed, etc., until examined; officers, etc., excepted from provisions of act; examinations to be public; regulations, etc., to be published.—§ 8. The mayor of each city in this State is authorized and is hereby directed to prescribe such regulations for the admission of persons into the Civil Service of such city as may best promote the efficiency thereof and ascertain the fitness of candidates in respect to character, knowledge and ability for the branch of the service into which they seek to enter, and for this purpose he shall, from time to time, employ suitable persons to conduct such inquiries and make examinations, and shall prescribe their duties and establish regulations for the conduct of persons who may receive appointment in the said service. And the regulations so to be prescribed shall, among other things, provide and declare as in

the second subdivision of the second section of this act is provided and declared in reference to regulations for admission to the Civil Service of the State. Within two months after the passage of this act it shall be the duty of each of said mayors in and by such regulations to cause to be arranged in classes the several clerks and persons employed or being in the public service of the city of which he is mayor, and he shall include in one or more of such classes, so far as practicable for the purposes of the examination herein provided for, all subordinate clerks and officers in the public service of the said city to whom his power under this act extends. After the termination of three months from the passage of this act no officer or clerk shall be appointed, and no person shall be admitted to or be promoted in either of the said classes now existing or that may be arranged hereunder pursuant to said rules, until he has passed the examination, or is shown to be exempted from such examination, in conformity with such regulations. Such regulations hereinafter prescribed and established, and any subsequent modification thereof, shall take effect upon the approval of the New York Civil Service Commission. Officers elected by the people, and the subordinates of any such officer, for whose errors or violation of duty said officer is financially responsible, and the head or heads of any department of the city government, and persons employed in or who seek to enter the public service under the educational departments of any city, and any subordinate officer who, by virtue of his office, has personal custody of public moneys or public securities, for the safe-keeping of which the head of an office is under official bonds, shall not be subject to the regulations prescribed pursuant to this section, nor shall any regulations contravene an existing statute relating to entrance to said service. It shall be the duty of all those in the official service of any such city to conform to and comply with any regulations made pursuant to this act, and to aid and facilitate in all reasonable and proper ways the enforcement of all regulations and the holding of all examinations which may be required under the authority conferred by this section. But the authority by this section

conferred shall not be so exercised as to take from any policeman or fireman any right or benefit conferred by law, or existing under any lawful regulation of the department in which he serves. And all examinations herein authorized shall be public, and all regulations shall be published, and, with all the proceedings and papers connected with said examinations, shall be at all times subject to the inspection of said Commission and its agents; and said Commission shall set forth in its reports the character and practical effects of such examinations, together with its views as to the improvement and extension of the same, and also copies of all regulations made under the authority hereby conferred. (Thus amended by Laws of 1884, chap. 410.)

Recommendations from certain officers not to be received.—

§ 9. No recommendation of any person who shall apply for office or place under the provisions of this act which may be given by any Senator or Member of Assembly, or officer confirmed by the Senate, or judge of any court, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under this act.

(§ 10. Repealed by Laws of 1884, chap. 357.)

Political assessments prohibited.—§ 11. No officer, agent, clerk or employe under the government of the State of New York or any political division thereof shall, directly or indirectly, use his authority or official influence to compel or induce any other officer, clerk, agent or employe under said government, or any political division thereof, to pay or promise to pay any political assessment. Every said officer, agent or clerk, who may have charge or control in any building, office or room occupied for any purpose of said government, or any said division thereof, is hereby authorized to prohibit the entry of any person, and he shall not consent that any person enter the same for the purpose of therein making, collecting, receiving or giving notice of any political assessment; and no person shall enter or remain in any said office, building or room, or send or direct any letter or other writing thereto, for the purpose of giving notice of, demanding or

collecting, nor shall any person therein give notice of, demand, collect or receive any such assessment; and no person shall prepare or make out, or take any part in preparing or making out, any political assessment, subscription or contribution with the intent that the same shall be sent or presented to or collected of any officer, agent or employe, subject to the provisions of this act, under the government of the State of New York, or that of any political division thereof, and no person shall knowingly send or present any political assessment, subscription or contribution to or request its payment of any said officer, agent or employe. (Thus amended by Laws of 1884, chap. 357.)

Penalty. — § 12. Any person who shall be guilty of violating any provision of the last section shall be deemed guilty of a misdemeanor, and shall on conviction thereof be punished by a fine not less than fifty dollars and not exceeding one thousand dollars, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment in the discretion of the court. (Thus amended by Laws of 1884, chap. 357.)

Recommendations, etc., not to relate to political opinions, etc.— § 13. No recommendation or question under the authority of this act shall relate to the political opinions or affiliations of any person whatever.

Officers or candidates not to promise influence, etc.; penalty; "public officer" and "public employe" defined.— § 14. Whoever, while holding any public office, or in nomination for, or while seeking a nomination or appointment for any public office, shall corruptly use or promise to use, whether directly or indirectly, any official authority or influence (whether then possessed or merely anticipated) in the way of conferring upon any person; or in order to secure or aid any person in securing any office or public employment, or any nomination, confirmation, promotion or increase of salary, upon the consideration or condition that the vote or political influence or action of the last-named person, or any other, shall be given or used in behalf of any candidate, officer or party, or upon any other corrupt condition or consideration, shall be deemed guilty of bribery or an attempt at

bribery. And whoever, being a public officer, or having or claiming to have any authority or influence for or effecting the nomination, public employment, confirmation, promotion, removal or increase or decrease of salary of any public officer, shall corruptly use, or promise, or threaten to use any such authority or influence, directly or indirectly, in order to coerce or persuade the vote or political action of any citizen, or the removal, discharge or promotion of any officer or public employe, or upon any other corrupt consideration, shall also be guilty of bribery or of an attempt at bribery. And every person found guilty of such bribery or an attempt to commit the same, as aforesaid, shall, upon conviction thereof, be liable to be punished by a fine of not less than one hundred dollars nor more than three thousand dollars, or to be imprisoned not less than ten days nor more than two years, or to both said fine and said imprisonment in the discretion of the court. The phrase "public officer" shall be held to include all public officials in this State, whether paid directly or indirectly from the public treasury of the State, or from that of any political division thereof, or by fees or otherwise; and the phrase "public employe" shall be held to include every person not being an officer who is paid from any said treasury.

Quorum; Commission shall inquire into methods of appointments, etc.—§ 15. A majority of the members of said board shall constitute a quorum, but a less number may adjourn from day to day. Said Commission, when organized, shall immediately inquire into the methods of appointment, removal, terms of service, duties, compensation and numbers of all clerks, employes or subordinate officers of any nature whatsoever, either of this State or of cities or counties therein having a population exceeding fifty thousand inhabitants, who are not by existing laws appointed by the Governor of the State or by the mayor of any city, or elected by the people; and whether the action of political parties or the public acts of official servants are in any wise affected and if so to what degree, by the present methods of such appointments, tenure of office, removals and compensations, and whether the public interest would or would not be

advanced by prescribing competitive tests of standards of appointment for any or all of such subordinate public servants, in addition to those who are hereinbefore included, and if so, the nature and extent of such tests or standards; and whether any abuses exist in connection with the existing practices touching said appointment, tenures, compensations or removals that require reform, or that may be abated by legislation or otherwise. Said Commission may also further extend its inquiries so far as to enable it to report whether any and if so what legislation is expedient, relative to the methods of compensation of all county officers and their subordinates in this State.

Witnesses, attendance of; fees.—§ 16. Said Commission shall have like power to secure by its subpoena, the attendance, and testimony of witnesses, and the production of books and papers, pertinent to the investigations and inquiries hereby authorized, to that prescribed in and by chapter three hundred and fifty-three of the laws of eighteen hundred and eighty-two, for the Commission thereby constituted in the execution of its duties as in said act last mentioned; and witnesses and officers to subpoena and secure the attendance of witnesses before said Commission shall be entitled to the same fees as are allowed witnesses in civil cases in courts of record. Such fees need not be prepaid, but the Comptroller shall draw his warrant for the payment of the amount thereof, when the same shall have been certified to by the president of the Commission, and duly proved by affidavit or otherwise to the satisfaction of the said Comptroller; and all State, county, town, municipal and other officers and their deputies, clerks, subordinates and employes shall afford the said board all reasonable facilities in conducting the inquiries specified in this act, and give inspection to said board of all books, papers and documents belonging, or in any way appertaining to the respective offices, and shall also produce said books and papers, and shall attend and testify when required to do so by said Commission. (Thus amended by Laws of 1884, chap. 357.)

Official oath; compensation and expenses; appropriation.
§ 17. Said commissioners hereinbefore named, or in case of va-

cancy from among their number by declination, resignation or otherwise, a successor commissioner, to be appointed by the Governor, shall qualify by filing with the Secretary of State an oath to perform faithfully the duties of such commissioner. Each commissioner shall receive the compensation hereinbefore provided, together with his actual traveling expenses in the discharge of his duties as such commissioner, the said salaries and expenses, together with the other necessary expenses of said board, to be approved by the Comptroller and thereafter paid out of the treasury of the State, and the sum of fifteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury not otherwise appropriated for the purpose stated in this act.

Laws of 1884, chap. 357.—An act to amend chapter three hundred and fifty-four of the Laws of eighteen hundred and eighty-three, entitled "An act to regulate and improve the Civil Service of the State of New York."

Sections 1 to 5 amend Laws of 1883, chap. 354, sections 3, 4, 11, 12 and 16, as hereinbefore shown; section 6 makes an appropriation, and section 7 repeals section 10 of the Laws of 1883, chap. 354.

Inspectors of election exempted from examination.—§ 8. The election officers now in office, and the inspectors of election and poll clerks shall be exempt from examination in accordance with the act hereby amended, or the amendments thereof, and it shall be the duty of the commissioners and mayors of cities so to provide in regulations made under said act.

Laws of 1884, Chap. 410.—An act to amend chapter three hundred and fifty-four of the Laws of eighteen hundred and eighty-three, entitled "An act to regulate and improve the Civil Service of the State of New York."

Sections 1 and 2 amend Laws of 1883, chap. 354, section 8, as hereinbefore shown.

Existing regulations in cities continued in force.—§ 3. Where before the passage of this act, the mayor of any city herein mentioned has prescribed regulations pursuant to the power

given him by the act hereby amended, such regulations shall be deemed to be established and prescribed and to be operated as if established, prescribed and approved under the provisions of the said act as hereby amended; and the examiners who before the passage of this act, have, by the mayor of any such city, been appointed or designated under the provisions of said act, shall be deemed to be appointed and to have all the powers and duties which they would have if appointed under the provisions of the said act as hereby amended.

Preferences allowed honorably discharged soldiers and sailors, etc.—§ 4. In grateful recognition of the services, sacrifices and sufferings of persons who served in the army or navy of the United States, in the late war, and have been honorably discharged therefrom, they shall be certified as such by the commissioners, board or officers authorized to report names for appointment or promotion to the appointing officer, or other appointing power, and shall be preferred for appointment to positions in the Civil Service of the State and of the cities affected by this act and the several acts hereby amended, over all other persons, though graded lower than others so examined and reported, provided their qualifications and fitness shall have been ascertained as provided under this act, and the several acts hereby amended, and the person thus preferred shall not be disqualified from holding any position in said Civil Service on account of his age, nor by reason of any physical disability, provided such age or disability does not render him incompetent to perform the duties of the position applied for. (Thus amended by Laws of 1886, chap. 29. See *Matter of Sweeley*, 12 Misc. 175; 146 N. Y. 401.)

Laws of 1887, Chap. 464.—An act to amend chapter three hundred and twelve of the Laws of eighteen hundred and eighty-four, entitled “An act respecting the employment of honorably discharged Union soldiers and sailors in the public service of the State of New York.”

Section 1. Chapter three hundred and twelve of the Laws of eighteen hundred and eighty-four, entitled “An act respecting the employment of honorably discharged Union soldiers and

sailors in the public service of the State of New York," is hereby amended to read as follows:

Honorably discharged soldiers and sailors shall be preferred for appointment, etc.—§ 1. In every public department and upon all public works of the State of New York, and of the cities, counties, towns and villages thereof and also in noncompetitive examinations under the civil service rules, laws or regulations of the same, wherever they apply, honorably discharged Union soldiers, sailors and marines shall be preferred for appointment, employment and promotion; age, loss of limb or other physical impairment which does not, in fact, incapacitate, shall not be deemed to disqualify them, provided they possess the business capacity necessary to discharge the duties of the position involved. And no person holding a position by appointment or employment in the State of New York or of the several cities, counties, towns or villages thereof and receiving a salary or per diem pay from the State or from any of the several cities, counties, towns or villages thereof, who is an honorably discharged soldier, sailor or marine, having served as such in the Union army during the war of the rebellion, and who shall not have served in the Confederate army or navy, shall be removed from such position or employment except for incompetency or misconduct shown, after a hearing upon due notice, upon the charge made, and with the right to such employe or appointee to a review by a writ of *certiorari*; a refusal to allow the preference provided for in this act to an honorably discharged Union soldier, sailor or marine, or a reduction of his compensation intended to bring about a resignation, shall be deemed a misdemeanor, and such honorably discharged soldier, sailor or marine shall have a right of action therefor in any court of competent jurisdiction for damages, and also a remedy by mandamus for righting the wrong. The burden of proving incompetency or misconduct shall be upon the party alleging the same. But the provisions of this act shall not be construed to apply to the position of private secretary or deputy of an official or department or to any other person holding a strictly confidential position. (Thus amended by Laws of 1896, chap. 821.)

Failure to comply a misdemeanor.—§ 2. All officials or other persons having power of appointment to or employment in the public service as set forth in the first section of this act, are charged with a faithful compliance with its terms, both in letter and spirit, and a failure therein shall be a misdemeanor.

§ 3. This act shall take effect immediately.

Laws of 1888, chap. 119.—An act relating to employes of the various cities and counties of the State.

Honorably discharged soldiers and sailors filling certain positions not to be removed except after a hearing, etc.—Section 1. No person holding a position by appointment in any city or county of this State, or who may hereafter be appointed, receiving a salary from such city or county (unless he has been appointed for a definite term), who is an honorably discharged soldier, sailor or mariner, having served as such in the Union army or navy during the war of the rebellion, or the Mexican war, and who shall not have served in the Confederate army or navy, or who shall have served the time required by law in the volunteer fire department of any city, town or village in the State, or who shall have been a member thereof at the time of the disbandment of said volunteer department, shall be removed from such position except for cause shown after a hearing had; but this provision shall not be construed to apply to the position of private secretary or chief clerk or deputy of any official or department, or to any other person holding a confidential relation to the appointing officer. (Thus amended by Laws of 1890, chap. 67; Laws of 1892, chap. 577.)

Laws of 1897, chap. 428.—An act to provide for examinations to ascertain and determine the merit and fitness of persons seeking to enter the Civil Service of the State of New York and the cities thereof, the ratings upon such examination and the persons by whom the same shall be conducted.

Examinations for merit; maximum and minimum ratings.—Section 1. In all examinations for appointment and promotion in the Civil Service of the State of New York and the cities thereof,

merit and fitness shall be determined as herein provided. The merit of all applicants shall be determined by examination conducted by or under the Civil Service Commissioners or examining board having jurisdiction over the appointment or promotion for which application is made. Upon all examinations to determine the merit of the applicants no rating higher than fifty per centum shall be given to any person. Lists containing the names and ratings of all applicants found on such examination to be eligible for appointment or promotion for merit so determined shall be made up for certification to the person or persons holding the power of appointment or promotion in the manner provided by the rules and regulations established pursuant to section five of this act. The minimum percentage of rating necessary to entitle an applicant to a place upon such list as eligible for merit shall be determined by the rules and regulations so established.

Examinations for fitness; maximum rating; combined standing.—§ 2. The fitness of the applicants certified to be eligible for appointment or promotion for merit, shall be determined by examination to be conducted by the person or persons holding the power of appointment or promotion, or by some person or board designated by the person holding such power of appointment or promotion, and the rating on such examination for fitness shall not exceed in any case fifty per centum. The rating obtained upon the examination for fitness shall be added by the person or persons holding the power of appointment or promotion to the rating given to each applicant certified to be eligible for merit respectively by the Civil Service Commissioners or examining board as provided in section one of this act.

Preference in appointment.—§ 3. Applicants examined as in this act provided shall be preferred for appointment and promotion according to their standing ascertained by adding together the rating for merit and the rating for fitness determined as in this act provided.

Examinations to be competitive; practicability of competition to be determined.—§ 4. All examinations shall be competitive so far as practicable and shall be practical in their character and

shall relate to those matters which shall fairly test the intelligence, competency, suitability and character of the applicants to discharge the duties of that service for which they seek to be appointed. The Civil Service Commissioners of the State, with the approval of the Governor, shall determine when examinations are not practicable and when competitive examinations are not practicable in cases relating to the Civil Service of the State. The Civil Service Commissioners or boards of cities, with the approval of the Civil Service Commissioners of the State, shall determine when examinations are not practicable and when competitive examinations are not practicable in cases relating to the Civil Service of cities.

Commissioners to establish rules and regulations.—§ 5. The Civil Service Commissioners of the State of New York and of the cities of the State are hereby empowered and required to establish rules and regulations to carry this act into effect in their respective jurisdictions, but such rules and regulations shall not go into operation until approved by the Governor of the State of New York, where the Civil Service of the State is affected thereby, and by the Civil Service Commissioners of the State, where the Civil Service of cities is affected thereby.

Existing eligible lists continued and modified.—§ 6. Until eligible lists have been prepared pursuant to this act, all existing eligible lists, for appointment or promotion in the Civil Service of the State, or in any of the cities thereof, made up or created in any other manner than as in this act provided, shall be continued in full force and effect and may be certified to the person or persons holding the power of appointment or promotion; provided, however, that the ratings therein given shall relate exclusively to the merit of the applicants therein named, and shall be revised by the Civil Service Commissioners of the State where the same are applicable to the Civil Service of the State, and by the Civil Service Commissioners or boards of cities, where the same are applicable to cities, on the basis of the rating for merit as determined in section one of this act, and the fitness of such applicants shall then be determined by examination and their standing ascertained

and preference in appointment or promotion given according to the provisions of sections two and three of this act.

Repeal.—§ 7. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Rights of veterans preserved.—§ 8. This act shall not be construed to deprive any person of the right to advancement or promotion where such right to advancement or promotion is now or shall hereafter be given by law, nor of the rights heretofore secured both as to appointment and upon discharge from employment, to honorably discharged Union soldiers, sailors and marines.

§ 9. This act shall take effect immediately. (Became a law May 15, 1897.)

Constitutional Provisions.

Article I, section 16. * * * Such acts of the Legislature of this State as are now in force, shall be and continue the law of this State, subject to such alterations as the Legislature shall make concerning the same. But all such parts of the common law, and such of the said acts, or parts thereof, as are repugnant to this Constitution, are hereby abrogated.

Article V, section 9. * * * Appointments and promotions in the Civil Service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. Laws shall be made to provide for the enforcement of this section.

APPENDIX J.

SAMPLES OF EXAMINATION QUESTIONS — 1897.

APPENDIX J.

QUESTIONS USED IN EXAMINATIONS HELD DURING THE YEAR 1897.

EXAMINATION FOR COURT CRIER.

Held at Syracuse, January 14, 1897.

Sheet 1.—Spelling.

1 January	14 telegram
2 statute	15 certify
3 Wednesday	16 nation
4 judgment	17 occupy
5 salary	18 amount
6 Onondaga	19 Syracuse
7 motion	20 compel
8 careful	21 official
9 decision	22 Illinois
10 message	23 possess
11 usual	24 plaintiff
12 business	25 damage
13 profit	

Sheet 2.—Verbal orders.

Directions: One of the examiners will dictate supposed orders of which the candidate is required to write down the substance. The order will be read once only and the mark will be given for substance, not for the exact form of the order.

1. Take this letter to No. 247 Clinton street, then go to the mayor's office and leave word that Judge Smith will be there Saturday morning at 9 o'clock.

2. The trial term of this court is adjourned without day and the special term is adjourned to the Supreme Court chambers in the city of Watertown at 9 o'clock in the morning on Saturday next.

3. All jurors not on this panel are excused until Monday morning at 10 o'clock. The cases remaining on the calendar will be called at that time.

Sheet 3.—Arithmetic.

1. Express in words 507,006.82.
2. Multiply 879 by 304 and divide the product by 76.
3. If a barrel of flour weighs 196 lbs. what will be the cost of 5,880 lbs. at \$5.25 per barrel?
4. A court crier receives \$50 per month; he spends \$12 per month for board and \$18 per month for other expenses; how long will it take him to save \$500?
5. Supposing the distance from Albany to Buffalo to be 300 miles; how many hours will it take a train to make the run at the rate of 2 miles in 3 minutes?

Sheet 4.—Plain Copy.

Directions: Copy precisely the following, punctuating and capitalizing as in the copy.

After the termination of three months from the passage of this act no officer or clerk shall be appointed, and no person shall be admitted to or be promoted in either of the said classes now existing or that may be arranged hereunder pursuant to said rules, until he has passed the examination, or is shown to be exempted from such examination, in conformity with such regulations. Such regulations hereinafter prescribed and established, and any subsequent modification thereof, shall take effect upon the approval of the New York Civil Service Commission. Officers elected by the people, and the subordinates of any such officer, for whose errors or violation of duty said officer is financially responsible shall not be subject to the regulations prescribed pursuant to this section, nor shall any regulations contravene an existing statute relating to entrance to said service.

Sheet 5.—Oral examination.

Each candidate was examined orally as to his experience, general intelligence and ability to execute orders.

EXAMINATION FOR COURT ATTENDANTS AND JANITORS.

Held at New York, January 25, 1897.

Sheet 1.—Spelling.

- | | |
|-------------|---------------|
| 1. balance | 14. figure |
| 2. easily | 15. February |
| 3. annual | 16. several |
| 4. writing | 17. direct |
| 5. Tuesday | 18. careful |
| 6. criminal | 19. complaint |
| 7. manner | 20. answer |
| 8. guard | 21. adjourn |
| 9. either | 22. engine |
| 10. summons | 23. allowance |
| 11. fuel | 24. justify |
| 12. bailiff | 25. machinery |
| 13. similar | |

Sheet 2.—Dictation.

N. B.—Use of capitals, punctuation and all mistakes and omissions will be taken into consideration in marking this paper.

Directions: One of the examiners will dictate an exercise which the candidate is required to take down on this sheet verbatim. The passage will first be read for information and then dictated in phrases of five or six words at the rate of about twenty words per minute. Do not sign your name.

The Legislature shall divide the State into four judicial departments. The first department shall consist of the county of New York; the others shall be bounded by county lines, and be compact and equal in population as nearly as may be. Once every ten years the Legislature may alter the judicial departments, but without increasing the number thereof.

There shall be an Appellate Division of the Supreme Court, consisting of seven justices in the first department, and of five justices in each of the other departments. In each department four shall constitute a quorum, and the concurrence of three shall be neces-

sary to a decision. No more than five justices shall sit in any case.

Sheet 3.—Verbal orders.

Directions: One of the examiners will dictate supposed orders of which the candidate is required to write down the *substance*. The order will be read *once only* and the mark will be given for *substance*, not for the exact form of the order.

1. Take this package to No. 349 Grand street and then go to the county clerk's office and ask Mr. Smith for the papers I left there Monday.

2. When Mr. Jones returns tell him that Judge Brown will meet him at the Twenty-third street ferry at 3 o'clock, with his carriage and a police officer.

3. Go to the nearest plumbers and get a man to fix the water-pipes on the first floor; then have the judges' rooms cleaned and ready to occupy by to-morrow morning.

Call in the corridor for the following jurors:

Jacob Smelzer,

George Birdseye,

Emil Goldberg,

Antonio Rapuzzi.

Sheet 4.—Arithmetic.

1. Add the following, placing the sum at the bottom:

179,543,862,190,257

84,597,643,985

675,389,763,271

9,487,645,387

4,561,387,654,978

2. Multiply 9,287 by 5,036. (Give work in full.)

3. Divide 5,868,150 by 725. (Give work in full.)

4. If you can earn 18 cents an hour and work nine hours a day, how much will you earn in 312 days? (Give work in full.)

5. In a certain city 5,278 persons were arrested during the year; of these 2,010 were discharged, 19 died, 87 were sent to hospitals, 13 to insane asylums and the rest were sentenced. How many were sentenced? (Give work in full.)

EXAMINATION FOR RECORD CLERKS.

Held at New York, Jan. 26, 1897.

Sheet 1.—Spelling.

- | | |
|-----------------|-------------------|
| 1. nationality | 26. plaintiff |
| 2. political | 27. mandamus |
| 3. necessary | 28. illegal |
| 4. spontaneous | 29. peremptory |
| 5. voluntary, | 30. demurrer |
| 6. zealous | 31. session |
| 7. language | 32. indictment |
| 8. Pennsylvania | 33. defendant |
| 9. encourage | 34. complaint |
| 10. character, | 35. burglary |
| 11. sufficient | 36. replication |
| 12. Delaware | 37. felonious |
| 13. spacious | 38. judgment |
| 14. interrupt | 39. malice |
| 15. continually | 40. jurisdiction |
| 16. mysterious | 41. appeal |
| 17. effigy | 42. execution |
| 18. recommend | 43. verification |
| 19. enthusiast | 44. panel |
| 20. casual | 45. summons |
| 21. gradually, | 46. calendar |
| 22. dissipate | 47. injunction |
| 23. prevalence | 48. intestate |
| 24. collateral | 49. administrator |
| 25. treatise | 50. account |

Sheet 2.—Dictation.

The Supreme Court reporter is not entitled to a salary. He must report and publish such of the decisions at the terms of the appellate divisions or special terms of the court as he deems it for the public interest to have reported. He must also report and publish the decision in a particular cause, which the court, at a term of the appellate division or special term, specially directs him to report. He must prepare for each volume and cause to be published therewith, the usual digest, head notes, tables of contents, and index.

Sheet 3.—Letter-writing and Handwriting.

Write a letter containing not less than one hundred words to the Commissioner of Public Works of New York City, regarding the streets of the city, with suggestions for their improvement. Sign your examination number, not your name.

In marking the letters, errors in form and address, spelling, punctuation, capitals, syntax and style will be considered.

Sheet 4.—Test in addition.

TO THE EXAMINERS.

Before delivering these envelopes to the class, instruct it not to open them until directed to do so. Call special attention to the printed instructions on the envelopes, and give the class time to read the same carefully before giving signal to open them. See that each applicant stops adding and turns over the paper promptly at the expiration of seven minutes from the time the signal to open the envelopes was given. The papers should then be collected. As this exercise is intended to be a test of the candidate's ability to add rapidly, it is important that these instructions be strictly carried out.

TO THE CANDIDATES.

This envelope contains an exercise in addition. It is not to be opened until the signal to do so is given by one of the examiners. The exercise consists of columns of figures. Add as rapidly as you can, commencing at the right. You will be allowed precisely seven minutes after the signal to open the envelopes has been given. At the signal to stop you must turn over the paper at once.

791,947 19	409,042 40	45,162	99,969 77	81,456 84	76,068	176,596
40,255 81	58,026 30	21,680	15,569 01	12,685 86	30,717	212,849
59,748 60	52,677 83	88,348	18,675 54	15,217 11	24,949	68,313
57,137 50	37,629 62	197,419	18,424 01	15,012 15	39,252	61,786
129,640 05	68,529 11	97,586	24,105 90	27,789 09	28,482	50,835
91,187 77	68,699 83	70,554	29,033 83	23,657 19	27,870	182,169
58,076 59	64,047 11	886,792	19,810 78	16,162 11	78,397	188,136
175,268 26	40,387 10	128,859	20,833 59	17,016 27	31,080	85,956
64,553 63	42,174 60	112,371	11,405 76	9,293 59	21,360	64,120
60,739 55	95,773 42	31,821	36,679 88	29,837 80	36,570	125,628
45,573 01	39,683 47	73,386	12,187 07	9,913 90	29,715	78,344
110,832 49	17,713 00	21,360	15,459 69	12,596 78	24,457	72,782

Sheet 5.—Arithmetic.

1. Write in words 780,030,561.
2. Write in figures ninety-five million, fifteen thousand eleven.
3. Add together $4\frac{2}{3}$, $3\frac{1}{2}$ and $\frac{1}{3}$.
4. From $11\frac{1}{8}$ subtract $9\frac{1}{4}$.
5. Multiply $3\frac{1}{2}$ by $3\frac{1}{2}$.
6. Divide $4\frac{7}{11}$ by $2\frac{1}{3}$.
7. Multiply 2,052 by 7.5.
8. Divide 122.032 by 23.2.
9. Reduce 1 mile, 26 rods to feet.
10. How many yards of carpet, 2 feet 3 inches wide, will cover a floor 18 feet 6 inches long and 13 feet 6 inches wide?
11. Find the present worth of \$4,220 due 11 months hence at 6 per cent. per annum.
12. If the tax on a farm valued at \$2,300 is \$41.40, what is the rate?
13. What are the proceeds of a bank note for \$750, payable 4 months after date, without interest?

Sheet 6.—Constitutions and Government of New York and the United States.

1. Give an account of the origin and adoption of the present Constitution of this State.
2. What are the three great divisions of governmental powers?
3. Explain where these powers (referred to in question 2) are vested by the constitution of this State.
4. Explain the make-up of the U. S. House of Representatives.
5. How and for what terms are U. S. Senators chosen?
6. Give a brief outline of the criminal judiciary system in New York city, giving names and constitution and extent of jurisdiction of the several courts.
7. What steps are necessary to be taken by one wishing to sue for collection of a debt?
8. What is a grand jury? What are its principal functions?
9. What are the qualifications of voters prescribed by the N. Y. State Constitution?

10. How many State Senators are there? Who may be president of the Senate? How many members of assembly are there? How is the speaker chosen?

Sheet 7.—Geography, History and Current Topics.

1. Bound the State of New York.

2. In what county is Long Island City? In what county is Staten Island? In what county is White Plains? In what county is New York City? In what county is Albany?

3. Name ten important cities of this State.

4. By what waters is Manhattan Island surrounded?

5. Name and locate ten of the principal cities of the United States.

6. During what years was Lincoln President of the United States?

7. Name the Presidents of the United States since Lincoln's time.

8. Name the thirteen original states of the United States, and when their independence declared?

9. What were the chief causes of the Civil War of the United States, and what was its result?

10. What was the cause and what has been the result of the recent Venezuelan controversy?

11. Give the names of the Governor and Lieutenant-Governor of this State.

12. Give the names of the Senators representing this State in Congress.

13. What is meant by the term "Greater New York?"

14. Have you knowledge of any recent treaty negotiations by the United States? If so, what?

15. State the nature of the trouble in Cuba, and give the names of the leaders of the opposing belligerent forces.

EXAMINATION FOR LAW CLERKS.

Held at New York City, January 27, 1897.

Sheet 1.—Spelling.

- | | |
|-------------------|-----------------------|
| 1. intention | 26. superior |
| 2. commission | 27. injunction |
| 3. habeas corpus | 28. vice versa |
| 4. juridical | 29. equitable |
| 5. California | 30. infancy |
| 6. colloquy | 31. Manhattan |
| 7. defeasance | 32. recoupment |
| 8. post mortem | 33. non compos mentis |
| 9. entail | 34. coverture |
| 10. authority | 35. salacious |
| 11. proceedings | 36. replevin |
| 12. bona fide | 37. attachment |
| 13. Rochester | 38. guardian |
| 14. calumny | 39. Erie |
| 15. amicable | 40. infallible |
| 16. ultra vires | 41. paramount |
| 17. Massachusetts | 42. relative |
| 18. summary | 43. warrant |
| 19. successive | 44. discretionary |
| 20. nunc pro tunc | 45. stare decisis |
| 21. surety | 46. consecutive |
| 22. inimical | 47. deficient |
| 23. qualify | 48. citation |
| 24. Ontario | 49. inhabitant |
| 25. certiorari | 50. res adjudicata |

Sheet 2.—Dictation.

Some light may, however, be thrown upon this question by the decisions which were made by the Supreme Court and late Court of Errors, in relation to the liability of the city of New York for acts done or omitted by the water commissioners appointed under

the acts of 1833 and 1834, under which the Croton water was first introduced into this city. The powers conferred by those acts upon the commissioners therein provided for were very similar, although not specified in the acts so much in detail as those confided to the aqueduct commissioners of 1883.

In *Appelton v. The Water Commissioners of New York* (2 Hill, 432), it was intimated, although not expressly decided by Bronson, J., in delivering the opinion of the court, that the remedy on the contract made by such commissioners was against the corporation of the city of New York.

In *Bailey v. The Mayor, etc., of N. Y.* (3 Hill, 538), it was held that the commissioners appointed under the act of 1834, though appointed by the State, were the agents of the corporation, and that the latter was, therefore, liable for injuries sustained by the plaintiff's land arising from the careless and unskillful construction of a dam across the Croton river. That case subsequently went to the Court of Errors, and is reported in 2 Denio, 433, as *The Mayor, etc., of New York v. Bailey*, and it was held the corporation was liable to third persons for injuries sustained by them by the negligent and unskillful construction of the dam in question.

If these cases have not been restricted or modified by subsequent decisions, it would appear that the aqueduct commissioners, although appointed by the Legislature, are the agents of the city, and if the agents of the city, that they are within the provisions of the act in relation to the Civil Service of the city.

Sheet 3.—Copying from rough draft.

The rough draft of a letter, which accompanies this paper, is to be correctly and neatly copied for signature; all abbreviations are to be written out in full; the corrected or added parts are to be inserted in their proper places; and the matter is to be paragraphed and punctuated properly.

This statement does not definitely show when the tax was paid in the Collection-house.

State of New York
Department of Public Instruction
Superintendent's Office
Albany January 24th 1884

Henry W. Smith Esq
Trustee of School District No. 1
Town of A, County of B

Sir —

Your letter of the 22^d inst is ~~received~~ ^{received} at hand. ^{both} You do not state clearly all the steps taken ^{reference} by both the meetings and yourself in ^{Shed} relation to the building of the wood ^{which} and the laying of the tap ^{therefor} for the same. ^{Superintendent} I am informed of, to ^{enable him to} ~~be able to~~ ^{may be ascertained by your answer to the following} ~~give you an answer~~ ^{satisfactorily} ~~as to~~ ^{to pay} ~~the meeting order that a tap be~~ ^{levied} ~~for the shed?~~ ^{When did you make out the} ~~tax list, and when did you place~~ ^{it} ~~in the~~ ^{hands of} ~~the Collector?~~ ^{the Collector?} ~~If you say you made out the tax list within~~ ^{thirty days for the estimated amount and delivered the same} ~~to the Collector on the following Monday~~ ^{This is incorrect. Let} ~~me know the facts indicated and I shall be glad to advise you~~ ^{as to your proper course}

Yours respectfully

Sheet 4.—Arithmetic.

1. Express in words the following: 103,003,601.0044.
2. Divide $1\frac{7}{8}$ by $8\frac{3}{4}$.
3. Divide 1.7784 by 2470.
4. The salary of an officer is \$2,250 per year. He spends $\frac{1}{18}$ for clothes, $\frac{2}{9}$ for board and room rent, $\frac{2}{18}$ for miscellaneous purposes, and saves the residue. How long must he serve to save \$4,500?
5. What is the interest at 6 per cent, on \$3,384.50 for 2 years, 8 months, and 12 days?

Sheet 5.—Law.

1. Enumerate the courts which are held within this county.
2. Has the Supreme Court any jurisdiction over criminal cases?
3. Has it any jurisdiction over wills, executors, infants, lunatics?
4. What are the courts for the hearing of appeals?
5. Whence do the courts derive their jurisdiction?
6. Distinguish between a "court order" and a "judge's order," and prepare a sample caption and title to each.
7. What is a "note of issue?" Prepare a sample of one.
8. What is an "order to show cause?" What is an "interlocutory judgment?" What is a "mandate?" What is a judgment roll?" What is a "return?"
9. Draw the "venue" and "jurat" of an affidavit made in Brooklyn.
10. What means have courts for enforcing their orders?
11. How are jurymen selected at the time of trial? What does "challenging a jurymen" mean? Who announces the verdict? Who pronounces the judgment? Who discharges the jury?
12. What is an indictment? How and by whom are they found? By whom are they prosecuted? What is "quashing" an indictment? What is "sustaining a demurrer?"
13. By whom are court records kept? With whom are judgments entered? How and by whom may papers on file be removed? What does "docketing a judgment" mean? What does "reversing a judgment" mean?

14. What is meant by a case being "reserved generally?" What is meant by a case being marked "off the calendar?" What is meant by a case being "settled?" What is meant by a case being "at issue?" What is meant by a case being "set for trial?"

15. What is meant by a "general denial?" What is meant by a "counterclaim?" What is meant by a "bill of particulars?" What is meant by "never indebted?" What is meant by "breach of contract?"

16. What are the limits of jurisdiction of a district court?

17. A sues B for \$95. B puts in a counterclaim for \$600. Can the case be removed, and if so to what court?

18. Who prepares the calendar for the judge? Prepare a sample calendar of five cases.

In No. 1, the defendant fails to appear on the call; and an inquest is ordered. Note the fact on the calendar.

In No. 2, an adjournment of two weeks is granted. Note the fact.

In No. 3, the case is ready for trial. So mark it.

In No. 4, case is settled. So mark it.

No. 5 is discontinued. So mark it.

19. The defendant appeals from the judgment of the court. What will the clerk of the court be called upon to do, if anything?

20. State generally the duties of a clerk.

EXAMINATION FOR COURT STENOGRAPHERS.

Held at New York, January 27, 1897.

Sheet 1.—Dictation at 150 words per minute.

This is an application for a writ of peremptory mandamus, to be directed to the Comptroller of the State of New York, commanding him to draw his warrant for the payment of the salary of the relator as clerk to the collector of canal statistics, for the month of May, 1895.

It appears that on the 26th of April, 1895, the superintendent of public works issued a commission to the relator, under his hand and seal, in the words following:

"ALBANY, *April* 26, 1895.

"By virtue of the power vested in me by section 3, article 5 of the Constitution of the State of New York, I do hereby appoint J. W. McClelland, of Albany, N. Y., clerk to canal statistics, at Albany, N. Y.; salary \$65 per month."

The relator had passed no Civil Service examination for the position in question, and his name was not certified to the Comptroller by the Civil Service Commission of the State.

The Comptroller bases his refusal to draw his warrant upon chapter 354 of the Laws of 1883, as amended by chapter 681 of the Laws of 1894, which provides for arranging in classes, clerks and employes in the public service of the State, and provides for the certification to the Comptroller by the Civil Service Commission of the names of all officers, clerks or other persons appointed to the public service of the State, from either of said classes, and prohibits the Comptroller from drawing his warrant for the payment of any salary or compensation to any officer, clerk or other person in the public service, who has not been so certified to him.

The relator contends that the law in question is not applicable to his case, and that there is no necessity for his name being certified to the Comptroller by the Civil Service Commission of the State, because, as he alleges, under the laws and the Constitution of the State, the appointees of the superintendent of public works are not subject to Civil Service Laws, but that the power of appointment is lodged exclusively in such superintendent, untrammelled by any laws, rules or regulations whatever.

The position taken by the parties to this proceeding, makes it necessary to examine not only the Civil Service Laws of the State but the constitution, not only as it is, but as it was prior to January 1, 1895.

The questions presented are of grave importance, seriously affecting the Civil Service of the State, and the administration of some of its greatest and most important departments, as well as the title to office of many subordinate officers of the State, and, therefore, merits a careful consideration.

In 1876, the then existing Constitution was amended by creating an entirely new official, known as "a Superintendent of Public Works," to whom was confided the execution of laws "relating to the repair, navigation, construction and improvement of the canals, except so far as such construction and improvement should be confined to the State Engineer and Surveyor."

Being thus made responsible for the care and maintenance of the canals, he was given a corresponding power in the selection of his subordinates. After providing for the appointment by him of three assistant superintendents, such amendment further provided that "All persons employed in the care and management of the canals, except collectors of tolls, and those in the department of the State Engineer and Surveyor, shall be appointed by the Superintendent of Public Works, subject to suspension or removal by him." (Cons. section 3, article 5.)

It may be well to observe in passing, that the same year an amendment to the Constitution was adopted, providing for a Superintendent of State Prisons, who should have the superintendence, management and control of all State prisons, and to whom was given the appointment of all the agents, wardens and chaplains of the prisons; and giving to the agents and wardens of each prison, the appointment of all officers of such prison, except the clerk; and further providing for the appointment of clerks of prisons, by the Comptroller. (Cons. section 4, article 5.)

In 1883, the Legislature, by chapter 354 of the laws of that year, authorized the Governor, by and with the consent of the Senate, to appoint three persons who should constitute a Civil Service Commission. And it was the duty of said commission "to aid the Governor, as he may request, in preparing suitable rules for carrying this act into effect." It was further enacted that such rules should provide, amongst other things, "for open competitive examinations," for testing the fitness of applicants for the public service, now classified, or to be classified hereunder.

Sheet 2.—Dictation at 175 words per minute.

The appellant in the above-entitled matter appeals from the action of the respondent in dismissing her as a teacher during a term of employment without cause.

The respondent has filed an answer to the appeal, and to said answer the appellant has replied, and to the reply a rejoinder has been made, and to the rejoinder the appellant has filed a replication. The pleadings and proofs have received careful consideration and examination. The questions presented to me for decision are, first, was the appellant dismissed during a term of employment, and, second, if yes, was there sufficient cause for such dismissal. Upon the proofs presented the following facts are established:

That on or about August 25, 1894, the appellant herein, then holding an unexpired second grade certificate, and the respondent herein, the sole trustee of school district No. 15, town of Lisbon, St. Lawrence county, entered into a verbal contract by which the respondent employed the appellant, and the appellant contracted to teach the school in said district for twenty weeks, of which twelve weeks were to constitute the fall term and eight weeks the winter term of said school; that for the fall term the respondent agreed to pay and the appellant agreed to receive five dollars per week and be boarded, and for the winter term six and one-half dollars per week; that the appellant entered upon her duties as such teacher and taught eight weeks when a further agreement was made between the appellant and respondent, whereby the appellant taught two additional weeks, making the fall term one of ten weeks, and the winter term to be one of ten weeks instead of twelve weeks as agreed upon in the original contract of the said parties thereto; that the appellant was paid in full by the respondent for the ten weeks taught by her as aforesaid; that on or about December 17, 1894, the appellant commenced teaching said school for said winter term of ten weeks and taught said school until on or about January 16, 1895, when the respondent came to the schoolhouse and informed the appellant that he (respondent) would not allow her to teach said school any longer, and that he should close the school that night, and then and there dismissed the appellant as such teacher; that subsequently the respondent hired another teacher for said school; that the appellant has not been paid her services for

teaching said school for the two weeks she taught in said winter term; that the reasons given to appellant by the respondent for dismissing her as such teacher were that she did not maintain good order and government in said school and that she failed as a disciplinarian.

By subdivision 9 of section 47, article 6, title 7, of the Consolidated School Law of 1894, chapter 556 of the Laws of 1894, it is enacted, "nor shall any teacher be dismissed in the course of a term of employment, except for reasons which, if appealed to the Superintendent of Public Instruction, shall be held to be sufficient cause for such dismissal." The respondent herein alleges that during the fall term of said school many complaints were made to him that the appellant was not maintaining proper order and discipline in said school, and that by reason of the dissatisfaction on the part of many of the patrons of the school by reason of such want of proper order, government and discipline, pupils were not attending the school regularly; that the respondent visited the school at the beginning of the second week of the winter term and found said school unsatisfactory as to order and discipline therein.

It is clear that during the fall term of said school there was dissatisfaction among the patrons of the school as to the order, government and discipline of the school by the appellant, else why should Messrs. Hyde and Randles, as sworn to in the affidavits filed with the reply of the appellant, have called among many of the patrons of the school on December 14, 1894, to ascertain and learn how the appellant pleased them as a teacher?

The respondent, with his rejoinder herein, has filed the affidavits of every person in said district who had children attending said school (except one Hyde, who is a brother-in-law of the appellant) and with said exception, and one other, the affidavits of every other resident taxpayer of said district, showing the absence of order, good government and discipline in said school while the same was being taught by the appellant.

Sheet 3.—Oral Examination.

(The examination for court stenographers in New York City on January 27, 1897, also contained a test in taking oral questions and answers by two voices which candidates were required to read from their stenographic notes after a lapse of from one-half to one and one-half hours.)

EXAMINATION FOR INTERPRETER.

Held at New York City, January 30, 1897.

Sheet 1.—Translation from English — written translation.

Translate accurately from English into German, Italian, Spanish, French or Swedish, the following:

1. A person cannot be arrested in a civil action except as provided by statute. In a proper case an order of arrest may be granted at any time after the commencement of an action. Such order can only be granted by a judge of the court in which the action is pending, and upon an affidavit showing a sufficient cause of action against the defendant.

2. The property is to be conveyed free and clear of all incumbrances and by full covenant warranty deed.

3. *Question.* Since this occurrence at Sherry's, have you been on intimate terms with Mr. Moore?

Answer. No, sir; he came there, and I have been to see him several times and have served subpoenas on him and have prepared my defence.

Q. Is it true that you exchanged photographs with his daughter Annabelle?

A. Yes, sir. If you will permit me to tell you why, I would be obliged.

Q. Certainly; go right ahead.

A. Well, I met his daughter in the chief's office, and I told her that I was proud to meet a woman who would protect her honor, as I was a man who would protect a woman's honor with my life.

4. *Question.* You didn't say, doctor, that you would injure me in every way you possibly could?

Answer. No, sir; I said I would call a policeman and have you put out of my office if you didn't take back something that you said.

Q. What was that?

A. You made the remark, "Don't get too fresh; I have had such doctors as you before," and I showed you the door and told you if you made that remark again I would have you put out of the house. Before you made that remark, I didn't say that I would try to injure you in every way possible. I heard the testimony of Doctor O'Connor; I heard the doctor testify that upon examination he found two bruises on the head. He is not necessarily mistaken about the child having two bruises.

Sheet 2.—German — written translation.

Translate accurately from German into English the following:

Zum ersten Mal sah ich wahrscheinlich jeden der Kläger im letzten Theil des Januars 1894; bis dahin nicht. Pollatscheck kam mit einem Brief Lerner's und sagte, dass er dieses Eigenthum zu verkaufen habe. Ich weiss das Datum nicht. Ich weiss, dass er das Grundstück um jene Zeit kaufte. Er beschrieb das Bleecker-Str.-Eigenthum. Ich sagte ihm, dass mir nichts daran läge, mit demselben etwas anzufangen, und dass wir in jener Art Grund-Eigenthum nicht interessirt seien. Wir sprachen möglicher Weise über anderes Eigenthum, jedoch nur in allgemeiner Weise. Ich sagte ihm nicht darüber, dass ich als Makler für meine Mutter fungirte. Meine hauptsächlichste Unterhaltung bestand darin, dass wir mit jener Sorte von Eigenthum nichts zu thun haben wollten. Mit Bezug auf eine von meiner Mutter zu zahlende Entschädigung oder Commission wurde zwischen uns nichts gesprochen. Später kam er wieder, um mich zu sprechen. Er kam ohne Aufforderung meinerseits. Er belästigte mich viel, während ich ihn nicht sehen wollte. Mit Bezug auf das Bleecker-Str.-Eigenthum fuhr ich in meinem Beharren fort, dass mir nichts daran gelegen sei, mich damit abzugeben. Was das Eigenthum meiner Mutter anbetrifft, so erwähnte ich wahrscheinlich, dass wir Eigenthum hatten, welches zu verkaufen war. Ich specificirte möglicher Weise Theile desselben. Darüber, dass er durch oder zu Gunsten meiner Mutter hin-

sichtlich des von ihr besessenen Eigenthums einen Auftrag erhalten hätte, sagte ich ihm niemals etwas, noch er mir.

Frage. Wunderten Sie sich über die ungesetzlichen Ansprüche Ihrer Gläubiger?

Antwort: Natürlich. Die Waaren, welche sie sandten, sind wahrer Schund und fleckig. Bessere Qualitäten haben sie niemals fabricirt. Sie können dies nicht leugnen.

Mein werther Herr! . . .

Ein unbefleckter Ruf ist natürlich die erste wesentliche Bedingung der Befähigung dafür, und zwar in Verbindung mit vollkommenem Mangel an Verdacht irgend einer schlaun und gewinnsüchtigen Handlungsweise, die in lokaler Politik für persönliche Zwecke angewandt werden möge. Aber über dies hinaus ist die höchste Potenz geistiger Fähigkeit erforderlich; eine gereifte, Achtung gebietende bürgerliche Weisheit, die Macht, Andere durch überzeugende und fließende Rede zu beeinflussen; ein furchtloses und anregendes Temperament, welches auf hoher Warte steht; die edle Vaterlandsliebe, die über der Wohlfahrt des ganzen Landes im Sinne von Verwandtschaft zu der glorreichen Geschichte wacht, an welcher der Senat in früheren Zeiten einen so hervorragenden Antheil gehabt hat.

Frage. Nahm er nicht genug Antheil an ihr, indem er es vernachlässigte, sie zu sehen?

Antwort. Gewiss, als ich nach Hause kam, bedurfte ich der Ruhe.

Frage. Und demzufolge waren Sie zu müde, um nach oben zu gehen und das Kind zu sehen?

Antwort. Gewiss, es hatte etwas damit zu thun. Als das Kind herunter kam, würde ich sie gesehen haben. Es war meist nach halb nach sechs. Während der schlechten Zeiten, welche wir durchgemacht haben, bin ich manchmal sogar acht und zehn Tage ohne Beschäftigung gewesen. Ich sah sie ungefähr sechs oder sieben Wochen nach dem Unfall. In der Folgezeit sah ich sie bis jetzt regelmässig wieder, gewiss acht oder zehn Mal während der Woche. Ich bin dessen ganz sicher; freilich nicht während ihrer Ferienzeit, als sie, ich glaube, mit etlichen Leuten im Lande war. Ich sollte vermeinen, sie sei ein paar Wochen fort gewesen; mög-

licher Weise war es längere, möglicher Weise kürzere Zeit. Sie mag im August fortgegangen sein, im letzten Theil des Augusts. Ich kann mich nicht entsinnen. Ich weiss nicht, ob sie zur Schule gegangen ist, noch irgend etwas darüber.

Frage. Und Sie sagen, dass, als sie diesen Penny zu nehmen vergass, Sie dachten, dies sei etwas Befremdliches?

Antwort. Gewiss, ihr allgemeines Erscheinen und ihre allgemeinen Handlungen.

Wenn Sie der Ueberzeugung sind, dass von Seiten des Knaben keine Nachlässigkeit vorlag, sondern dass die Eisenbahn-Gesellschaft nachlässig war, dann werden Sie einen Wahrspruch für den Kläger abgeben. Darnach haben Sie zu der Entschädigungsfrage überzugehen. Nun, diese Klage ist von dem Knaben erhoben worden, und er ist, wenn überhaupt, berechtigt, Entschädigung für die erlittene Verletzung und Entschädigung für Schmerzen und Wehleid zu erhalten. Sie haben ihm eine solche Geldsumme zuzuerkennen, als Sie gemäss den Beweisen für recht erachten und ihn für den durch die Verletzung erlittenen Verlust zu entschädigen.

Sheet 3.— French — written translation.

Translate accurately from French into English the following:

La traduction a été perfectionnée à l'office de Mm. Harry et C. C. Goodwin par M. Pollatschek. Je ne sais rien de sa terminaison. Je me souviens très distinctement d'une conversation dont Pollatschek a témoigné d'avoir eu lieu entre moi et un des Goodwins dans leur office à la rue Cortlandt touchant leur besoin d'avoir quelque chose à ce moment là outrement l'affaire ne serait pas terminée. Goodwin au moment où la transaction fut à peu près close samedi, est venu avec moi dans le corridor du "bâtiment Taylor" et dit: Maintenant Larnier, à propos de la commission, où est-ce que j'y viens? ce sont exactement ses mots. Et je dis: bon, je ne sais pas comment ça devrait être arrangé. Pollatschek est l'homme qui se charge de cette partie de l'affaire. Alors j'ai appelé Pollatschek et lui dit: M. Goodwin, avant que ce contrat soit conclu, désire avoir une partie de la commission. Pollatschek a eu l'air d'être très surpris, et il hésitait à consentir à une chose pareille. Je lui ai conseillé. Je lui dis: Vous avez travaillé dur dans cette transaction, et vous feriez mieux de ne pas la laisser

faillir. Cela était avant que les contrats fussent signés. Les contrats ont été faits et devraient être signés lundi matin aux appartements Knickerbocker. Ce fût après que les contrats furent tous finis et prêts pour être signés.

Question. N'est-ce pas que ceci est un oui-dire?

Reponse. Il n'est pas.

Q. Pourquoi?

R. Parcequ'il y a des traites de la somme de deux millions dans le coffre de sûreté qui sont refusés l'acceptation.

Q. Comment pouvez-vous prouver cela.

R. Aussitôt que le coffre de sûreté est ouvert les traites le prouveront.

Q. Etais-ce, votre information qui a sauvé la maison de commerce d'une perte ultérieure?

R. Quant à moi, oui, mais le teneur de livres a donné la même information.

Messieurs:

Je regrette beaucoup de ne pouvoir assister à la réunion de Carnegie Hall demain soir, parceque je suis très chaleureusement en faveur de la candidature de M. Choate et je le dirais avec plaisir sur cet occasion là avec toute emphase que je puisse commander. Deux choses semblent si claires à ce moment que je ne saurais imaginer comment un bon citoyen, et spécialement un bon citoyen Républican peut manquer de les voir. La première en est que l'Etat de New York est dans un besoin urgent d'un grand Sénateur. L'autre est qu'en M. Choate le besoin serait entièrement subvenu. Pourquoi donc ne serait il pas nommé.

Je suis votre plus sincère, etc.

Question. Maintenant si vous avez déchargé ce malade, pourquoi vouliez-vous savoir le nom de cet expert avant que vous ayez donné un certificat?

Reponse. Hé, bien, pour curiosité peut-être, et rien autre.

Q. C'est tout?

R. Cela était suffisant.

Q. Justement pour curiosité? C'était seulement pour cela que vous vouliez savoir?

R. C'était suffisant; oui, Monsieur; autant que je sache c'était une question d'information touchant un cas dans lequel je m'intéressais. J'ai voulu savoir combien d'importance je dois attacher à son opinion.

Q. Pourquoi vouliez-vous savoir cette information?

R. Simplement une information touchant le cas c'est tout, quoi!

Q. Vous souvenez-vous, Docteur, que je suis venu à votre office avec M. Swenson une seconde fois?

R. Oui, Monsieur; je me souviens aussi qu'une semaine ou dix jours presque avant que vous étiez venu une seconde fois j'ai reçu une lettre de vous.

Messieurs du Jury:

Il n'est pas mon devoir de vous répéter le témoignage des témoins. Vous avez entendu leur témoignage avec patience, vous les avez vus dans la place du témoin, et vous devez vous souvenir de leur témoignage et décider justement et carrément, les questions de fait que je vous soumets.

Maintenant, le fait que le plaignant a subi une atteinte à cause de la roue du car qui l'a frappé ne fait pas de responsabilité sur la part de la compagnie, ce fait seul n'est pas suffisant; le plaignant doit aller plus loin que ça et prouver à votre satisfaction avec une prépondérance juste d'evidence, l'affirmatif de deux faits et chaque fait des deux.

Sheet 4.—Spanish—written translation.

Translate accurately from Spanish into English the following:

Morris Pollatschek, que acaba de testificar, fué mi corredor en este asunto. Yo lo conocí uno ó dos meses antes de la época en que empezó á tratar de efectuar la venta ó el cambio con los Sres. Goodwin. Lo conocí por casualidad un dia en que yo estaba mirando una propiedad en la calle 72, junta á su oficina y un caballero conocido mío me lo presentó. Posteriormente lo ocupé para que me sirviera de corredor. Esto fué allá por el año '93. Entonces dijo. "Yo conozco al propietario de esas casas y voy

á ver si puedo arreglar el negocio por Vd.” A lo cual contesté “Muy bien.” Después de eso nos encontramos varias veces y por fin llegué á la conclusión de que no quería las casas de la calle 72 y le dije que abandonara el asunto. La próxima vez que lo ví me dijo “Conozco á una persona que hará el cambio con Vd.” No puedo precisar la fecha; pero fué al principio del otoño; yo deseaba vender ó cambiar mi propiedad en la calle de Bleecker. Yo sospecho que él obraba por cuenta de los Sres. Goodwin cuando vino á ofrecermé su propiedad; pero ésto no me consta. Después he sabido que es agente de propiedad urbana. Creo que lo ví por vez primera en la oficina de los Sres. Goodwin, en la calle de Cortlandt.

Pregunta. Qué piensa Vd. sobre el pleito?

Respuesta. Hemos de ver cómo termina. Pudiera ser que diera origen á otro pleito por parte de los propietarios de la casa contra Vd.

Unicamente la muerte de su Sr. tío pudiera interrumpir el pleito.

En este caso nuestra parte del capital se perdería, además de los cuantiosos gastos que implica.

Nos hallábamos en el vagon de fumar; nos hallábamos todos juntos allí; yo fuí y llamé al Sr. Scott, no sé si me levanté y tomé otro asiento; pero todos estábamos sentados en aquellos asientos dobles, unos frente de otros. El hombre de color estaba sentado en el asiento con el Sr. Priori. Yo me hallaba en el asiento opuesto. Esta conversación se entabló á poca distancia de Mamaroneck, cerca de Mount Vernon, donde nos apeamos. Tengo la seguridad de que oí la conversación en todos sus detalles; estoy dispuesto á jurarlo.

Pregunta. Y cuando llegó Vd. á este punto intentó Vd. cruzar, así, según Vd. dijo, no es esto?

Respuesta. A unos doscientos piés antes de llegar á dicho punto yo crucé así, diagonalmente. Poco antes de que mi pié quedase cogido fué cuando por vez primera ví los caballos. Yo me hallaba á unos cinco piés del agujero y cuando ví las cabezas de los caballos creo que se hallaban á una distancia de mí como

de aquí á esa verja. Me metí en aquel agujero tan pronto como pude llegar, á un paso ó dos. En cuanto mi pié fué cogido traté de salir primero; pero cuando ví que no podía, me puso á gritar y hacer ademanes con la mano, de este modo. Esto fué cuando este muchacho trató conmigo de sacarlo y luego fué corriendo por la vía. Yo no sé lo que estaba haciendo entonces el cochero.

Esta niña estuvo retenida en casa por siete semanas y á la sazón era tiempo de calor. Observé que mientras guardaba cama enflaquecía y se puso pálida. Ella no salió al aire libre ni nada de eso, sino que estuvo retenida en casa todo el tiempo. Yo conozco á los Sres. Swenson por ser su vecino. Ella viva arriba y yo fuí á su cuarto unicamente cuando la niña fué lastimada y para ayudar á su madre; pero nunca había subido antes.

Sheet 5.—Italian — written translation.

Translate accurately from Italian into English the following:

Io non ricordo i termini esatti dell' accordo fatto nell ufficio di Goodwin Sabato. Sapevo che vi erano degli affari della "Giorgia" per certe proprietà qui.

Io non posso esattamente dire come quella transazione non riuscì. Io so che vennimo agli appartamenti di Knickerbocker di lunedì. All' or quando la Signora Goodwin doveva rivedere la sostanza, e per qualche ragione od altra, non poté cio fare. Io ero volenteroso di condurre il mio accordo a fine. Di fatti il concetto era fatto, e doveva essere firmato, e così l'altra parte non poté conchiuderlo. Allora venne fatta ed accettata una nuova proposta, ed un contratto fu fatto e firmato sul posto, e non so quale parte speciale Pollatschek prese in ambe Sabato o Lunedì, onde condurre a conclusione gli arrangiamenti attualmente conclusi.

Esso suggerì a pro della proprietà che doveva essere scambiata, la forma del contratto e cose di quella sorte.

I Signori Goodwin e Pollatschek ebbero una conversazione assieme, e dissero: "Come farete voi questo e quello?" Caminando da una stanza all' altra, ed avendo consultazioni e conversazioni, allora fece la proposta di fare questo e quello, e finalmente dopo

un' ora od un' ora e mezza, ci missimo d'accordo su basi di scambio.

Domanda. A la colpevole asserito a voi che ella non doveva nessuna moneta ai sui domestici di mestiere e che il marito non si mescolava nei suoi affari?

Riposta. Io non ricordo che essa abbia mai fatto tale asserzione.

D. Allora voi significate nel dire che ella non vi parlò mai in riguardo della sua moneta?

R. Io non poso altro che, in accordo alla mia riccollezione, ella nol fece.

Caro Signore:

La vostra del 19 corrente, risposi verbalmente nel pomereggio di sabato scorsso, visto che ero ingaggiata di modo tale, che al momento non potei scrivere. Appresso l'onore dell' invitazione fattami per orari alla reunion che sarà tenuta alla sala di musica Carnegie in favore dell' elezione del Signor Choate al Senato degli Stati Uniti, ma un appuntamento di discorrere in altra parte della città la medesima sera mi proibisce l'accettazione dell' invito.

Ritengo con gioia la possibilita dell' elezione del Signor Choate al Senato. La sua elezione conferirebbe onore sulla Città, Stato, e Patria. La presenza nel senato di un' uomo di cosi grande ingegno, eloquenza ed alto carattere ricorderebbe alla patria dei grandiosi giorni del Senato, all' orquando le sue mura eccheggiarono con la patriottica eloquenza di Summer, Webster, ed uomini di uqual carattere.

Molto sinceramente vostro,

Domanda. Volevate sapere che 'era l'esperto, e cio (cosi) Dottore?

Riposta. Si Signore.

D. Perche volevate cio sapere?

R. Perche, naturalmente volevo sapere con chi venivo in consultazione in riguardo alla causa.

D. Dottore avete detto che attendeste la ragazza per quasi sette settimane?

R. Sette settimane meno tre giorni. La disposizione dell' aria a molto calda.

D. Prespiravate punto quando mettevate la gamba a posto?

R. Io presumo di sì. Mi tolsi via il giacco; non ricordo se mi tolsi via il panciotto o no.

D. Dottore avete voi licenziato l'ammalato alla fine delle sette settimane?

R. L'ultima volta che fui là, loro dissi che se vi fosse qualche occorrenza innaspettata colla ragazza, di tenermene informato. E così la licenziai.

Vi è un' altra questione—si pretende che la compagnia era negligente dai fatti che il conduttore del carro non applico il freno a tempo: ed avrebbe dovuto vedere questo ragazzo più prontamente che nol fece, e così avrebbe potuto con l'esercizio di una cura ordinaria da parte sua, evitare di colpire il ragazzo.

Il conduttore di questo carro, era forzato di esercitare attenzione ordinaria, tale è, la cura di una persona prudente. Fece egli ciò, o no? Questo è un'altra questione di fatti cui voi dovrete decidere l'evidenza nella causa.

EXAMINATION FOR CHIEF CLERK, BOARD OF CHARITIES.

Held at Albany February 3, 1897.

Sheet 1.—*Spelling.*

- | | |
|----------------|-------------------|
| 1. association | 14. spectacle |
| 2. various | 15. eccentric |
| 3. pretension | 16. recompense |
| 4. recommend | 17. analysis |
| 5. Delaware | 18. occupy |
| 6. community | 19. maintenance |
| 7. bereavement | 20. illustrate |
| 8. diligence | 21. communication |
| 9. solicitude | 22. judgment |
| 10. dissension | 23. interpreter |
| 11. democracy | 24. charitable |
| 12. damageable | 25. typography |
| 13. ninetieth | 26. competitive |

- | | |
|--------------------|-----------------|
| 27. classify | 39. literal |
| 28. religious | 40. dissipate |
| 29. specifically | 41. ceremonial |
| 30. surveyor | 42. attorney |
| 31. superintendent | 43. precedent |
| 32. preference | 44. fraudulent |
| 33. qualification | 45. spontaneous |
| 34. memorial | 46. political |
| 35. continually | 47. transient |
| 36. populous | 48. foliage |
| 37. superiority | 49. courtesy |
| 38. casual | 50. vengeance |

Sheet 2.—Addition test.

(See Examination for Record Clerks, p. 764.)

Sheet 3.—Letter-writing and Handwriting.

Write a letter containing not less than one hundred words to the State Superintendent of Public Instruction, regarding the schools in your locality, with suggestions for their improvement. Also prepare a letter for the signature of the Secretary of State, informing Richard Roe of Buffalo that his letter of inquiry will require an examination of records—that several days will be required to perform the work, and that the fees will be \$25. That upon receipt of such sum the examination will be commenced, and report made as soon as the work is completed. Do not sign your name.

In marking the letters, errors in form and address, spelling, punctuation, capitals, syntax and style will be considered.

Sheet 4.—Arithmetic.

1. If $\frac{4}{11}$ of a house is worth \$1,969.92, what is the value of $\frac{5}{16}$ of it?

2. A merchant sells to a retailer at 60% profit, but the latter fails and pays only $12\frac{1}{2}$ cents on the dollar. What is the merchant's gain or loss per cent.?

3. The difference between the incomes derived from investing a certain sum in 4% stock at 112 $\frac{1}{2}$, and in 2 $\frac{1}{2}$ per cent. stock at 75 is \$84; find the sum invested.
4. Divide the product of 11 $\frac{1}{6}$ and 14/16 by their difference.
5. What sum of money at 6% for three years and four months will amount to \$951.60?
6. Reduce $\frac{8}{9}$ of $\frac{3}{7}$ of $5\frac{1}{4}$ of 63 to a simple fraction.
7. Reduce 7 hours 5 minutes and 7 seconds to a decimal fraction of a day, correct to four places of decimals.
8. A square field contains 84 acres. Find length of diagonal path connecting opposite corners of the field. There are 160 square rods in an acre.
9. A father leaves his property to his three sons; to the first $\frac{3}{5}$ and to the second $\frac{2}{15}$ of the whole; the third finds that his share is worth \$1,000 more than the share of the second. What is the value of the property?
10. Which is the more profitable stock to invest in, three per cents at 83 $\frac{1}{2}$ or 3 $\frac{1}{2}$ per cents at 3% discount, and how much?

Sheet 5.—Geography of New York State.

1. Name five cities on the line of the Erie railroad between New York and Buffalo. Name five counties bordering on Lake Ontario.
2. Name five cities on the Hudson river between Albany and New York city. In what part of the State is—
Clinton county?
Chautauqua county?
Rockland county?
Madison county?
3. Locate Buffalo, Rochester, Ogdensburg, Utica, Ithaca, Plattsburg.
4. Arrange the following cities in order of population, beginning with the largest: Rochester, Buffalo, New York, Brooklyn, Oswego, Syracuse, Yonkers, Troy.
5. Give a brief description of the natural geographical features of the State, including rivers, mountains, lakes, character and adaptability of soil for agricultural purposes in various parts of the State, etc.

Sheet 6.—Constitutions of New York and the United States.

1. Give a brief account of the origin and adoption of the Constitution of the United States, and name five men who were active in securing its adoption.
2. Explain briefly what you understand by the "tariff question." Can the New York State Legislature make a valid law taxing an import? Give your reasons.
3. What do you understand by "international arbitration?" Give any pertinent facts that may occur to you in this connection.
4. What is meant by impeachment? How is a State officer impeached and tried? What may be the punishment on conviction?
5. In case of the death of the Governor, who fills the office? Who takes the place vacated by the Governor's successor?
6. In what county do you reside? Who is your State Senator? Your Assemblyman? Your Representative in Congress?
7. How many Representatives in Congress has New York State? How are Representatives apportioned among the States, and why?
8. How many Senators has each State and what is the theory of such an arrangement?
9. Describe the method pursued by which a "bill" becomes a "law" in this State.
10. What are the functions of the State Comptroller's office?

Sheet 7.—Experience, Education, etc.

1. What is your age?
2. State in detail what educational advantages you have enjoyed, giving class of schools and length of time spent in each.
3. State the principal occupations you have followed since the educational period with length of time in each.
4. State to what extent you have been employed at office work, in what grades, and the extent to which you had direction of other employes, and in detail the nature of the duties you performed.

5. Give any other special experience you may have had which in your opinion especially fits you for the duties of chief clerk to the Board of Charities.
6. Give the names of your employers or instructors within the last five years with their present addresses.
7. What is the highest salary you ever earned? In what position did you receive it and for how long?
8. Have you ever been discharged from any position while others were retained in employment? Have you ever been promoted over others who had an equal claim on such promotion? What were the reasons of such discharge or promotion?

Sheet 8.— Office Devices and Management.

1. What plan would you adopt for preservation and arrangement of general office correspondence? Give the details of such plan as far as you are able.
2. Compare the advantages of record books and card systems for preserving records, and state for what classes of records each is in your opinion most desirable, and why.
3. State what duties in general you would expect to be performed by the following persons in an office having twelve or fifteen employes and the salaries you would expect to be paid for each grade: Messenger, stenographer, chief clerk, secretary, page.
4. State what you know of manifolding or duplicating devices and their adaptability to different classes of work.
5. What considerations would influence you in deciding whether to have a large number of copies of any documents printed or made by some other manifolding process?
6. What objections can you conceive to the requirement that all departmental public printing should be done under the same contract by the same printer?

Sheet 9.— Laws Rclating to the State Board of Charities and Charitable Institutions.

1. Give the substance of the constitutional provision in regard to the State Board of Charities. What other boards are provided for in the Constitution which have similar jurisdiction of State institutions?
 2. Give the provisions of the Constitution in regard to the regulation of payment of public funds to charitable and reformatory institutions under private control.
 3. Over what classes of institutions does the State Board of Charities have supervision? What in general is the extent of such supervision and how is the authority of the Board enforced?
 4. What institutions are known as the State charitable institutions?
 5. Give the substance of the provisions of law in regard to the regulation of the finances of such institutions.
 6. Give the class of persons who may be admitted to each of such institutions.
 7. For what classes of inmates of charitable institutions is legal commitment necessary? How is such commitment obtained?
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EXAMINATION FOR STATION EDITOR AND LIBRARIAN, STATE AGRICULTURAL EXPERIMENT STATION, GENEVA, N. Y.

Held at Albany, Buffalo and New York city, Feb. 2, 1897.

Sheet 1.— Experience and Personal Questions.

1. What is your age (in years)?.....
2. Describe your general education, stating kind of schools attended, length of time, and grade attained.
3. Have you had any special or technical education in lines that would aid you in the duties of the position applied for?.....
If so, describe such education.
4. Have you learned any trade that would so aid you?.....
If so, name such trade and give length of time served.

5. Give your principal occupations since the educational period, with length of time in each.

6. State any special experience or qualifications, not included above, for the position applied for.

7. Are you the author of any books or pamphlets?

If so, describe them, and at your earliest convenience transmit copies of the same to the New York Civil Service Commission.

Sheet 2.—French translation.

Analyse Chimique.

Epuration préalable des graisses alimentaires soumises à l'analyse.—Les glycérides constituant les maitères grasses naturelles contiennent toujours des acides gras libres en proportion variable et des matières étrangères en suspension ou même dissoutes; il est donc rationnel, pour obtenir des résultats précis, de leur faire subir un traitement qui les débarrasse de l'excès d'acidité et de la plupart des impuretés.

La proportion et la nature des acides gras contenus dans les graisses peut varier sous l'influence de causes les plus diverses. Les graisses faites dans les meilleures conditions contiennent toujours quelques dixièmes d'acides gras libres; cette proportion augmente notablement avec le temps, quelles que soient les précautions prises pour empêcher toute altération.

L'oxydation des maitères grasses donne des produits variables avec les causes qui la provoquent, et leur intensité. Une oxydation très ménagée peut amener la production de glycérides oxydés, sans formation sensible d'acide gras.

Si l'oxydation est plus énergique, le glycéride se décompose en acide gras et en glycérine; cette dernière ne tarde pas à disparaître en se transformant en produits nouveaux, acide formique, etc., tandis que l'acide gras se dédouble généralement en deux termes inférieurs et également oxydés des acides de la série grasse, dont l'un est volatil, l'autre fixe, mais avec un point de fusion plus bas que celui de l'acide gras primitif, sauf pour les acides non saturés tel que l'acide oléique, qui en s'oxydant peut donner naissance à des acides concrets et à de l'acide acétique.

Une oxydation encore plus intense détruit l'acide gras avec formation de produits substitués, et l'on désigne pratiquement cette transformation sous le nom de résinification des matières grasses. On sait en effet qu'il existe d'étroites relations chimiques entre les acides gras oxydés et les résines.

Sheet 3.—German translation.

Man hat bald nach dem Ausbruch der Empörung der Sipoy und später verschiedene Ursachen angegeben, welche dieselbe hervorgerufen haben sollen; man hat russische Agenten und deren Einflüsterungen dafür verantwortlich gemacht, die Enthronung der Sultane von Audh als einen Hauptbeweggrund genannt, auch den Eifer der englischen Missionäre angeklagt. Möglich ist es, dass diese Ursachen als mitwirkend angesehen werden können, der Haupttadel wird doch immer auf die englisch-ostindische Regierung fallen, welche von dem Aufsteigen des Weters rechtzeitig in Kenntniss gesetzt wurde, und doch jede Vorsichtsmassregel unterliess, durch welche seinem Ausbruch Schranken gesetzt werden könnte. Unzufriedenheit mit der englischen Herrschaft in Indien musste bei den vielfachen, sich durchkreuzenden Interessen, die dabei verletzt oder bei Seite geschoben wurden, immer obwalten; es kam nur darauf an, diese Unzufriedenheit in Schranken zu halten, was bei dem schon erwähnten Mangel an Nationalgeist und mit nur geringer Beibehaltung althergebrachter Formel wohl mit verhältnissmässiger Leichtigkeit durchzuführen gewesen wäre.

Sheet 4.—Essay.

Write an essay of about 400 words on "How to make the results of experiment station work available and useful to the farmer."

Sheet 5.—Indexing and Cataloging.

1. Index pages 22 to 27 inclusive, of the accompanying pamphlet of "Rules for the Civil Service."
2. Describe the "decimal classification" system.

3. Describe any other system of library classification with which you are familiar.

4. Rule cards on your foolscap and make the entries proper for a subject catalogue card from the five pamphlets furnished you.

Sheet 6.—Agricultural science.

1. In what manner do plants take up their mineral food from the soil?

2. What chemical elements are usually considered as indispensable to a complete fertilizer? Name some of the substances generally used to furnish these elements, and state which one of these substances would furnish the element in the most quickly available form.

3. What constituents of plants are usually reported in an analysis of fodder and feeding stuffs? Tell what is meant by each.

4. What is meant by nutritive ratio? Who was the greatest exponent of the system founded on this idea? What is generally considered the correct ratio for milch cows?

5. What is meant by nitrification? Give the reason why leguminous plants "enrich the soil."

6. Name three prominent scientific journals published in each of the following countries, and which are likely to contain articles of most value to an experiment station worker: United States; Great Britain; France; Germany.

7. Mention a recent outbreak of noxious insects, and tell what has been done to overcome the attack.

8. What is the "alkali" in the dry regions of the western States? How can one form of "alkali" be somewhat mitigated?

9. Explain briefly the recent method for detecting the presence of tuberculosis in the dairy herd.

10. On what principle does the separator depend for its action? How much fat should remain in the skim-milk, when a good separator has been used?

11. Give the names of several preparations used for the treatment of fungus diseases of plants, and the method of their appli-

cation. Which of these preparations are poison? Is any special precaution taken to guard against poisoning the consumer, in the case of fruits which have been treated with one of these poisonous preparations?

12. What is meant by total, available, reverted, phosphoric acid? In what form is the phosphoric acid in basic slag?

13. What methods are used to protect fruit trees in such regions as are only occasionally subject to killing frosts?

14. What is meant by: alluvial deposits; strata; metabolism; host plant; dew-point?

15. Give the common name of an insect which attacks the orange; tobacco; wheat stored in bulk; hops.

16. Name five common weeds; five destructive insects; five fungus diseases affecting economic plants; five infectious diseases affecting farm animals.

17. Describe the working of the barometer; the maximum and minimum thermometers; the rain gauge. How is a fall of snow reckoned as precipitation?

18. What are the four principal ingredients of ordinary soils, and what is the chemical character of each ingredient?

19. Name the three principal ways in which the fertility of soils is exhausted and explain how the fertility may be restored.

20. Explain the differences in composition between milk, cream, skim-milk, butter and cheese.

Sheet 7.—English.

1. Write the following sentences, making such verbal changes as grammatical accuracy requires:

(1) I, as well as they, are entitled to redress.

(2) A hot and cold spring were found in the same neighborhood.

(3) I doubt not but that he will fulfill his promise.

(4) He is some better than he was.

(5) From the little conversation I had with him he appeared to have been a man of learning.

(6) He not only owns a house but also a large farm.

- (7) This book is preferable and cheaper than the other.
- (8) The result of numerous experiments have been unsatisfactory.
- (9) What is the cause of this fruit falling so early?
- (10) He appeared to be well calculated to discharge the duties of the position.

2. What is meant by an "octavo" book? What is a "4o?" What is a "folder?"

3. The following is an exact copy of a portion of a manuscript submitted for publication. Indicate such corrections as clearness, propriety and accuracy require.

The growth of the castor-oil plant is one of the minor industries of this country; any farm lands are suitable to it. Being a hot plant, dry warm soils are desirable; wet clay soils are the least adapted. The planting and general culture closely resembles those for Indian corn. The seeds are deposited in rows 5 to 6 feet distant, the same area being given between each plant in the rows, one plant in a "hill" is deemed enough. The ordinary care of the surface stirring and weed destroying is essential. The seed spikes are collected as soon as the pods assume a brownish color, and before the seeds are matured enough to drop out of the pods in hauling. When they are gathered, they are exposed to the sun until the seeds freely part from the pods; gatherings frequently are necessary in order to remove such spikes only as are in proper condition. The profits of this culture are said to be some greater than of corn; from 20 to 25 bushels per acre are the average yield; the prices varying from \$1.50 to \$3.00 per bushel.

The ordinary process of expressing the oil from the bean, is stated in substance as follows: The seeds are first cleaned from dust and all extraneous matter, then placed in a vessel of iron and submitted to a gentle heat, which facilitates the extraction of the oil. They are then placed under a screw press, which liberates a whitish oily liquid, which is then mixed with water and boiled for some time, the impurities being skimmed off as they arise to the surface. A clear oil is left at length upon the top.

of the water, the mucilage and starch having been dissolved, and the albumen coagulated by the heat, which forms a whitish layer between the oil and the water. The oil is further clarified by boiling it along with a little water, the heating being continued till aqueous watery vapor ceases to arise. This drives off the acrid volatile matter; but if heated beyond what is necessary to the removal of the water, the oil acquires a peppery taste, and a brownish color.

Sheet 8.—Editing.

The following extract from the report of the chief of the Division of Records and Editing of the United States Department of Agriculture for 1894 contains about eight hundred words. Write a summary of it which shall not exceed 250 words.

As regards the supervision of publications, every document or manuscript of any kind intended for publication is first submitted to this division. It is here read and examined in order that anything deserving the personal attention of the Secretary or Assistant Secretary shall be called to the attention of one or the other with recommendations for modification, elimination, or change of any kind which is deemed to be necessary or desirable. Consultation follows with the chief of the division in which the bulletin originated, as to form, style, size, character of distribution, etc. These details settled, one of the employes of this division prepares the manuscript for the printer, which often involves rearrangement of the matter and consultation with the author, and supplies all the information necessary for the compositor. The requisition book is, of course, kept in this division, and all the requisitions for printing are made out in this office. A record is kept of the work from the time the manuscript is submitted until the final delivery of the completed publication. All the proofs coming from or going to the printer pass through this office, and all correspondence relating to the printing of the Department is handled here. This is in conformity with the special order of the Secretary directing that all official communication of whatever kind between the Department and the Public Printer, rel-

ative to the printing of the Department, shall pass through this division, and that no communications, proofs or documents relative to the public printing of the Department received by the Public Printer shall be recognized by him as official and authorized unless bearing the stamp of this division.

A general account of the printing fund is kept in the office, and also a ledger account with the several divisions, so that each may be properly charged with the amount of the printing fund devoted to its use.

The proof reading and indexing of the annual report, of all miscellaneous publications of the Department, and of a considerable part of the division work, devolve upon this division which is also charged with the reading of all proof printed in the Department printing office.

Other work of the division consists of the preparation and distribution of advance notices of publications to the press. This includes a monthly list of all the publications issued from the Department, which is sent to all persons applying, as many do, for all the publications of the Department. As this request can not be complied with, the monthly publication list is substituted, from which the recipients may select such publications as they need. A large amount of correspondence, in addition to that entailed by the supervision of the printing work, is handled in the division on account of its identification with the publication work of the Department. The preparation and distribution of the monthly publication list has resulted in a considerable increase in this correspondence, not only in that addressed directly to the division, but in that which reaches it from other divisions. In addition to these several duties, this division has been, since it was established, the main channel for the communication to the press at large of all information relative to Department matters, a duty which from being merely incidental has become a matter of considerable importance, occasionally taking up a great part of the time of the chief clerk.

All the newspaper clippings ordered for the Department from the press bureau, and marked papers relating to Department mat-

ters, are received and distributed in this division. Four scrap-books are kept in the division itself, and all articles and clippings not kept in them are promptly distributed to the divisions to whose work they refer.

During the year a very considerable demand for our publications from libraries suggested the necessity of discrimination. With the assistance of a very full report on libraries, issued from the Bureau of Education, a list of several hundred free libraries was prepared in this division for the use of the Document Room, and will be kept up hereafter under the supervision of the librarian. A newspaper mailing list is kept in the division and numbers now 383, 288 of these being agricultural papers, and the remaining 95 non-agricultural. There is besides a special list of correspondence, editorial writers, and others, numbering some 200 names, to which all our advance notices are sent. I desire to call attention to the fact here that in addition to the correspondence, which is increasing, the very frequent necessity for the preparation of special matter for the printer, the frequent re-copying of bulletins, etc., necessitates a very large amount of typewriting, the time of the single typewriter allowed the division being taxed to the utmost.

Sheet 9.—Proofreading.

Properly indicate the necessary changes in the accompanying proof.

EXAMINATION FOR MEDICAL INTERNES.

Held February 4, 1897.

Sheet 1.

1. Give the relations and branches of the common carotid artery.
2. Describe the liver and its functions.
3. Give the anatomy of the heart, the causes of its sounds and the functions of its pneumo-gastric nerve supply.

4. Carbonic acid: (a) formula; (b) how prepared; (c) where met with naturally; (d) how tested for; (e) what percentage in air becomes dangerous to life?

5. Write the chemical formulae for, (a) sulphuric acid, (b) calomel, (c) nitrate of silver, (d) copperas, (e) corrosive sublimate, (f) alcohol, (g) iodide of potassium, (h) arsenious acid.

6. How would you distinguish salts of morphine from quinine salts?

7. Explain the action of the kidneys.

8. What are the causes of post partem hemorrhage and how would you treat it?

9. Give the signs of pregnancy at the third month: what further signs at the seventh month?

10. What are the indications for the use of forceps?

Sheet 2.

11. Give the steps of an operation for the radical cure of hernia.

12. Give the treatment of fracture of base of the skull.

13. What precautions would you take to keep an operation wound aseptic?

14. What are the signs of death?

15. Diagnose between cerebro-spinal meningitis and typhoid fever.

16. Give the period of incubation, date and character of eruption in: (a) typhoid; (b) varicella, (c) scarlatina, (d) measles, (e) small-pox.

17. What are the principal symptoms of acute mania?

(Homeopaths omit next three questions.)

18. Classify the following drugs with reference to their physiological action and give dose of each: (a) apomorphia, (b) elaterium, (c) nitro-glycerine, (d) sulfonal, (e) belladonna, (f) strychnia, (g) acetate of potash, (h) quinine, (i) phenacetine, (j) hyoscine.

19. Give the heart symptoms of (a) spiegelia, (b) cactus, (c) digitalis.

20. Give the physiological action of ergot.

(Homeopaths [only] answer next three questions.)

18. Give the differential diagnoses of cases calling for belladonna or hyoscyamus.

19. Give the pathogenic effect of gelsemium on the cerebro-spinal system.

20. State symptoms in chronic diarrhoea for the use of each of the following: aloes, china, podophyllum.

**EXAMINATION FOR THE POSITION OF ENGINEERING
DRAUGHTSMAN.**

Held February 10 and 11, 1897.

Sheet 1.—Questions as to Occupation, Education and Experience.

1. State in detail what has been your occupation; when and where you have followed it, and under whom. Answer precisely and fully as to dates and places. If you have had more than one occupation, state fully as to each.

2. State what general education you received, giving dates and places.

3. If you have received any technical education, state when and where you received it, what was its general character, what, if any, course you completed, and what, if any, certificate or diploma you hold. Answer precisely and fully, especially as to dates and places.

4. If you have had any practical experience in a position similar to the one for which you now apply, state precisely and in detail when, where, for how long and under whom you had it and what was the nature of the work you did. If you have held more than one such position name all of them, with the several particulars as above indicated.

Sheet 2.

1. In plotting a set of field notes, the distances of which have been found to have been measured with a 100 foot tape that was 0.35 feet too short, what proportion gives the true length of the distances to be used in the plotting? What would be the true length of a line found to be 316.27 feet long, when measured with the above defective tape?

2. What is magnetic declination? If the boundary lines of a farm are as given below from a survey in 1860, what would you read the angles to plot the lines on a survey made in 1888, tying in the farm lines by knowing that a line of the new survey bearing $N\ 16^{\circ}\ 30'$, passing through A makes an angle of 35 degrees with A-B: A-B, $N\ 13^{\circ}\ E$; B-C, $N\ 87^{\circ}\ E$; C-D, $S\ 5^{\circ}\ 30'\ E$; D-E S ; E-A, $N\ 85^{\circ}\ W$.

3. In a five sided field whose sides and diagonals measured with a tape are: $AB=706$, $BC=593$, $CD=600$, $DE=465$, $EA=498$, $AC=1043$, $AD=935$, it is desired to determine quickly the approximate area of the field. Plot the outline and show how by reducing to a triangle the area may be quickly determined. Give the area also by determining the areas of the separate triangles into which the field may be divided as a numerical check.

4. What is a planimeter? What is the advantage of making two readings of the same area? What considerations should guide your judgment as to the percentage of error allowable in obtaining the required area?

5. In combining a number of large field maps into a smaller finished map, give the possible methods of procedure, describing the advantages of each one as to time, accuracy, skill required, etc.

6. What is blue print paper? How is it sensitized? Within what limits can scale measurements be properly taken from a blue print?

Sheet 3.

7. What are latitudes and departures? What trigonometric functions do they represent? Explain how they are used in plotting a survey.

8. What would be suitable scales for a canal profile, so chosen as to show locks, and bottom elevations within one-half foot? What would be a suitable scale for detail of lock gates? What for topographical map for general location of a feeder from a lake ten miles distant? What for a map of canal property, warehouses, etc., in some city?

9. The following set of level notes were brought into the office, the line run being along the towpath. They failed to check on bench No. 55. Find the error in the notes and correct the elevations accordingly. If the water level is 6.41 feet below B. M. 54, which is at Sta. 188 + 20, and the water surface descends nine inches per mile along the line, how much is each one of the stations above the water level, after correcting your elevations?

Station.	B. S.	H. I.	F. S.	Eod.	Elev.	Remarks.
B. M.	10.552	....	.....	.....	....	B. M. No. 54. Elev. 195.497.
+ 44. ....	.....	....	.....	10.32	....
190. ....	.....	....	.....	11.01	....
192. ....	.....	....	.....	10.82	....
T. P.	0.515	....	3.252	.....	....	Boulder in bank above path.
194. ....	.....	....	.....	8.20	....
T. P.	3.411	....	3.472	.....	....	White stone imbedded in path.
196. ....	.....	....	.....	3.28	....
198. ....	.....	....	.....	4.00	....
B. M. ....	.....	....	3.168	.....	....	B. M. No. 55. Elev. 195.979.

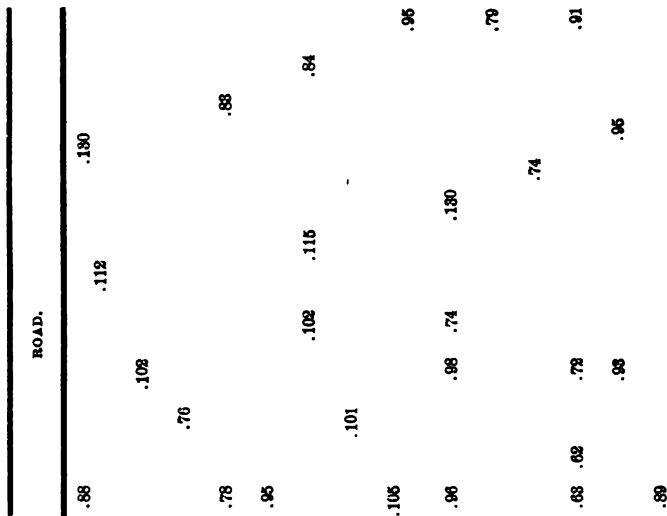
10. Construct the following explanatory note in stump writing, and also in some other kind of free-hand style. The height of the short letters is to be about 1-16 inch: "All elevations are referred to the datum of the city of Albany, N. Y." Also give the ten numerals in each of these styles, and mark several soundings across half the width of an assumed river, thus: 8.43; 9.69; 5.27; 10.00; 1.08.

11. Describe the method of platting and irregular transit line joining two given points by means of a scale and protractor, and also by the method of computed coördinates, and discuss their relative value. In each case describe your manner of manipulating the instruments in order to promote accuracy.

12. All the faces of a triangular pyramid are equilateral triangles whose edges are 10 inches. Compute its height when one face rests on a horizontal plane. Also show how to determine the angle between two adjacent faces graphically.

Sheet 4.

13. From the elevation of the points given on this sheet, draw 10 foot contours and indicate the probable position of streams. Mark the contour elevation for each contour.



From the contour sheet prepared, draw on separate sheet three sections of the ground at right angles to the road, near the extremities and at the middle of the tract, respectively. Indicate the vertical scale used.

Sheet 5.

14. Construct a diagonal scale 6 inches long, to measure inches and hundredths of inches. Figure each division in Roman figures.

15. Construct a scale 1:30000, to measure 5 inches. Figure every 125 feet in Gothic figures. Scale to be drawn as you would construct it on a drawing.

16. Draw 90° bend sewer pipe, 8 inches in diameter. Draw longitudinal section of the same. Shade both elevation and section in right line pen work, by varying the width of lines. Scale 2"=1'.

17. Draw torus and shade the same so as to bring out the curvatures. The circle which generates the torus has a radius of $\frac{1}{2}$ ", while its centre is $\frac{3}{4}$ " from the axis.

18. Draw, to a scale of $\frac{1}{2}$ inch to the foot, four piers, each 3' x 9' x 6'. Draw both plans and elevations; the plan of one of the piers to be cross lined. The elevations to indicate the bonding, and the following kinds of masonry:

Pier No. 1. Rock-face (Broken Ashlar).

Pier No. 2. Bush-hammered (Coursed Ashlar).

Pier No. 3. Broached with tooled margin at corners (Random Coursed Ashlar).

Pier No. 4. Rubble with Ashlar corners.

Show dimensions of piers, and letter the drawings in small Gothic, shading only enough of the surface to show your skill in this kind of drawing.

Sheet 6.

19. The following borings to be indicated in different conventional signs:

The ground as zero,

0 to -2' Loam,

-4' Sand,

-7' Clay,

-9' Blue Clay,

-12' Rock,

-15' Black Clay,

-17' Sand and Gravel,

Scale $\frac{1}{4}$ " = 1'.

Show soil 3 feet each side of center line of borings.

20. Plot the following notes to a scale of $1''=80'$.

Station 1.—S. 57° E, 577

Station 2.—S. $36^{\circ} 15'$ W, 225

Station 3.—S. $39^{\circ} 15'$ W, 100

Station 4.—S. $70^{\circ} 15'$ W, 104

Station 5.—N. $68^{\circ} 45'$ W, 123

Station 6.—N. 56° W, 219

Station 7.—N. $33^{\circ} 15'$ E, 105

Station 8.—N. $56^{\circ} 30'$ W, 154

Station 9.—Thence to the beginning.

Letter the bearings and distances in stump writing, and devise any ideal topography, showing upon the plat the following topographical signs, allowing about one square inch to each sign:

Fresh Marsh, Wooded Marsh, Grass, Cultivated Fields, Vineyards, Hops, Tobacco, Ditches, Sand, Mud, Woods (deciduous trees), Woods (evergreen), Orchards, Rock Cliff. Sketch in small stream, and letter all topographical signs in small Roman. Show the north point in such a style as you may think would look well in the map drawn. Make the following title on the map, and letter it in the Roman style of letters:

Topographical Map
and
Boundary Survey
of
Westwood.

21. Make a sketch to a $\frac{1}{4}''$ scale, for an ornamental iron railing for a foot-bridge, distance between posts 8 feet, height of rail 3 feet. To be inked in freehand and showing the railing, above the line of the foot-way.

22. Two segmental circular arches intersect each other at an angle of 60° . Their springing lines are at the same elevation, both arches have the same rise, and the span of one is twice that of the other. Show how to determine a portion of the curve of intersection, and to construct the development of the corresponding portion of the intrados of the smaller arch.

23. Draw a complete set of rivet signs for detail drawings of structural steel designs. Are you familiar with any other standard?

**EXAMINATION FOR INSTRUCTOR IN CARE AND FIRING OF
STEAM BOILERS, STATE INDUSTRIAL SCHOOL.**

Held February 12, 1897.

Sheet 1.—Experience and Personal Questions.

(See examination for steam engineers, page 951.)

Sheet 2.

1. Have you had experience in the firing of boilers with both anthracite and bituminous coals? If yes, what difference did you make in methods of firing? Give reasons.

2. What is the composition of each form of fuel with which you are familiar and what effect has this difference on the method of firing and the economy of the steam boiler?

3. How should the calorific value and the practical availability of any fuel be ascertained? Describe, if you can, the methods now practiced by engineers. How does the behavior of the fuel on the grate modify its practical value, irrespective of its chemical composition or theoretical calorific standing?

4. What relation exists between the height of chimney, the intensity of draught, and the thickness of the fuel-bed?

5. Indicate briefly the best methods of managing a fire and securing largest evaporation with a given amount of fuel; including the starting of the fire, its handling under full steam, cleaning, banking and hauling, the use of the damper and of the fire tools.

6. What is the proper method of insuring proper height of water, freedom from priming, steadiness of supply to engines, safety in operation of boiler and boiler attachments and connections?

7. State your ideas of the best forms of feed-pump, of their construction, management and maintenance in good order; including, among them, the injectors. How do you feed a boiler?

8. How would you insure the reliability of gauge-cocks, safety valves and connections? How ascertain the proper proportions of the safety valve and insure its action when in place?

9. Describe what, in your opinion, are the best methods of inspection of boilers, and state what are the defects usually revealed.

10. How would you compute the strength of a boiler, after having measured it up when in use? What would determine its limit of pressure and the degree of safety with which it could be longer operated?

11. What is the objection to wet steam, at engine and at boiler? How would you secure separation of the steam and water when too wet? Indicate form and method of operation of "separators" and of "steam-loops" and indicate precautions required to insure proper action.

12. What area of grate and of heating surface, and what weight of water evaporated per hour, measure the commonly accepted horse-power? How much margin is desirable to meet extraordinary demands for steam?

Sheet 3.—Arithmetic.

1. What is the cost of 125 tons of coal at \$4.05 per ton?

2. A boiler consumes 3 tons of coal in ten hours, and during that time 600 lbs. of ashes and clinkers are removed. What is the percentage of waste?

3. Supposing the coal mentioned in question 1 to have 20 per cent. waste, which is more profitable to buy, that or the coal mentioned in question 2 at \$4.50 per ton?

4. If 20 men receive \$10,800 working 300 days in the year, ten hours per day, what is their pay per hour?

5. Supposing a shovel to hold on an average 20 pounds of coal, how many shovelfuls will a fireman take in handling the coal in question 2?

6. How many shovelfuls will the handling of this coal require per minute?

**EXAMINATION FOR EXAMINER IN ENGLISH, REGENTS'
DEPARTMENT.**

Held February 13, 1897.

Sheet 1.

1. Academic record, including special training, experience in teaching and publications.

2. Describe at some length any special study that you have given to English. State what elements of value in either information or discipline this study contributes toward fitting you for the duties of senior examiner in English.

3. State such supplementary discipline, non-academic, as you think would give to your work in English accuracy, breadth and independence.

Sheet 2.

4. Indicate the grammatical knowledge that pupils should master in the first year of the high school. Knowledge of certain facts, presumably gained before this year, should receive no credit, but the lack of such knowledge should detract from standing; yet, ignorance of certain other facts should not detract from standing although knowledge of these facts should receive high credit. Discuss these classes of facts and illustrate from the following quotations:

“As I was walking with him last night, he asked me how I liked the good man whom I have just now mentioned; and without staying for my answer, told me that he was afraid of being insulted with Latin and Greek at his own table; for which reason he desired a particular friend of his at the university to find him out a clergyman rather of plain sense than much learning, of a good aspect, a clear voice, a sociable temper, and, if possible, a man that understood a little of backgammon.”

Osric. Sir, here is newly come to court, Laertes: Believe me, an absolute gentleman, full of most excellent differences, of very soft society, and grand showing; indeed, to speak feelingly of him, he is the card or calendar of gentry, for you shall find in him the continent of what part a gentleman would see.

5. Give in brief the scope of instruction in English composition that you believe practicable for each year of the high school. Be careful to differentiate the work of successive years as sharply as possible.

6. What do you understand by the rhetorical analysis of a paragraph? Discuss the subject, and illustrate from the following quotation:

The watchwords of the new government were prerogative and purity. The sovereign was no longer to be a puppet in the hands of any subject, or of any combination of subjects. George the Third would not be forced to take ministers whom he disliked, as his grandfather had been forced to take Pitt. George the Third would not be forced to part with any whom he delighted to honor, as his grandfather had been forced to part with Carteret. At the same time, the system of bribery which had grown up during the late reigns was to cease. It was ostentatiously proclaimed that, since the accession of the young King, neither constituents nor representatives had been bought with the secret service money. To free Britain from corruption and oligarchical cabals, to detach her from continental connections, to bring the bloody and expensive war with France and Spain to a close, such were the specious objects which Bute professed to procure.

7. What tests must a successful outline for an essay satisfy? Comment upon the following outline:

The Painter's Adventure. (Tales of a Traveler).

Introduction: What led to narration of the story.

Body: Who the painter was.
 What caused him to be at the prince's house.
 The night alarm and the bandit's mistake.
 The capture of the painter.
 Adventures in captivity.
 Chieftain's story.
 Young Robber's story.

Conclusion: Release of painter by the robbers.

Sheet 3.

8. Grade the following essay written at the close of the second year of the high school, and defend your grading:

Every year in the month of May, or June, Dr. Lawson, and myself, drive up to a little hamlet in the northern part of Oneida Co. in this State on a fishing expedition. The place is called Osceola, an Indian name, and has only about 65 or 70, inhabitants. It is located in a deep valley, and one driving over to it, from the south, can not see the little place until the top of the hill is reached just before entering the valley, and from here a most beautiful sight meets the eye. A short drive brings one up in front of the only place there for the accommodation of people on a fishing expedition.

As one drives up the landlord comes out and we announce at once that we have come on a fishing trip, and ask about the fishing, whether it is good or not. The landlord always announces that it is good, of course, and we at once get out everything that we have brought along. Through this valley runs a river of considerable size, and from the hill sides or mountains, as they might be called on the north side of the valley numerous creeks wind their way down through the forest and finally empty their contents into the river. All of these streams are filled with trout of not a very large size. Our scheme is to go out on a road which runs east from the little hamlet, and take any one of these little trout streams that we may choose to take, and fish down to the river which takes about one whole day. This brings us out near the hotel, as the place is called, at night. The people are used to caring for fishermen and they make everything very comfortable for us. We take our supplies the evening we arrive up in the room which they assign to us and in a little while go down to supper. After supper we go out for a walk, and go as far as a saw mill which is located at the river. Then back and pass the only store in the place and then return and retire. The people call us early and we start out on our day's trip after eating a hearty breakfast.

I like to go there so well and have been there so many times that, I am in love with the place. As I said, there is only one store, a saw mill, church and the hotel beside the residences, which look well for a place so far from a city of any size. It is located about 15 miles northeast of Camden, in the Co. of Oneida. I advise you to go there if you ever can.

Sheet 4.

9. What kind of evidence would you consider satisfactory if your decision concerning a point in rhetoric were disputed? What in grammar? Describe your method of securing and presenting evidence when a question in grammar or in rhetoric is referred to you for answer.

10. If a passage in literature is vague or ambiguous, what principles of interpretation do you recognize as reasonably safe guides?

11. Select any two texts from the following eight. Discuss the range and character of the knowledge that a high school student should gain from the study of these texts. Show how such knowledge should bear upon his work in composition.

Vision of Sir Launfal.

David Copperfield.

Il Penseroso.

Deserted Village.

Macbeth.

Intimations of Immortality.

Rape of the Lock.

Franklin's Autobiography.

12. The classification of verbs into regular and irregular, as given in most school grammars, is essentially unscientific. Give a scientific division. Explain at some length why your division is scientific and what scope you would give to the terms regular and irregular, if you would still retain them in the discussion of verbs.

13. What principles should govern in the selection of examples of false syntax for students' correction; first, in the last year of the grammar grades; second, in the first year of the high school; third, in the third year of the high school?

14. In teaching the history of the English language to third year, high school, pupils, what five points within the Middle English period would you consider it most important that they should clearly comprehend? Give these points in the order of importance and defend your selection and order.

15. Select four American authors and four English authors of the present century whose works seem to you most suitable for high school study. Select one work, or more, by each author, and by a discussion of these works in some detail answer the question: How far do you consider, patriotism apart, that the American authors cited are of equal, less, or greater value for educational purposes than the cited English authors?

EXAMINATION FOR COURT CLERKS.

Held at Brooklyn, February 20, 1897.

Sheet 1.—Spelling.

- | | |
|----------------------|-------------------|
| 1. pursuant | 26. habeas corpus |
| 2. ultra vires | 27. enforcement |
| 3. Connecticut | 28. certiorari |
| 4. affidavit | 29. surrogate |
| 5. exemption | 30. illegitimate |
| 6. constitutionality | 31. advancement |
| 7. deposition | 32. testamentary |
| 8. verification | 33. replevin |
| 9. surplus | 34. validity |
| 10. demurrer | 35. controversy |
| 11. interrogatory | 36. physical |
| 12. San Francisco | 37. miscellaneous |
| 13. Providence | 38. contingent |
| 14. Poughkeepsie | 39. stenographer |
| 15. documentary | 40. syndicate |
| 16. hypothecate | 41. eighty-two |
| 17. confinement | 42. affiliation |
| 18. concurrence | 43. policeman |
| 19. advertisement | 44. memorandum |
| 20. decedent | 45. felony |
| 21. mandamus | 46. privileges |
| 22. possession | 47. Rensselaer |
| 23. Minnesota | 48. assignment |
| 24. application | 49. referee |
| 25. neighbor | 50. efficiency |

Sheet 2.—Dictation.

Min.

1 It will be observed that the statute of Massachusetts which |
 2 is alleged to be repugnant to the commerce clause of | the
 3 Constitution does not prohibit the manufacture or sale of |
 4 all oleomargarine, but only such as is colored in imitation |
 5 of yellow butter produced from pure, unadulterated milk
 6 or cream | of such milk. If free from coloration or
 7 ingredient that | "causes it to look like butter," the right
 8 to sell | it "in a separate and distinct form, and in
 9 such | manner as will advise the consumer of its real
 10 character," | is neither restricted nor prohibited. It appears,
 11 in this case, | that oleomargarine, in its natural condition, is
 12 of "a light- | yellowish color," and that the article sold by
 13 the accused | was artificially colored "in imitation of yellow
 14 butter." Now, the | real object of coloring oleomargarine
 15 so as to make it | look like genuine butter is that it may
 16 appear to | be what it is not, and thus induce unwary pur-
 17 chasers, | who do not closely scrutinize the label upon
 18 the package | in which it is contained, to buy it as
 19 and | for butter produced from unadulterated milk or cream
 20 from such | milk. The suggestion that oleomargarine is
 21 artificially colored so as | to render it more palatable and
 22 attractive can only mean | that customers are deluded, by
 23 such coloration, into believing that | they are getting
 24 genuine butter. If any one thinks that | oleomargarine, not
 25 artificially colored so as to cause it to | look like butter, is as
 26 palatable or as wholesome for | purposes of food as pure
 27 butter, he is, as already | observed, at liberty under the
 28 statute of Massachusetts to manufacture | it in that State or
 29 to sell it there in | such manner as to inform the customer of
 30 its real | character. He is only forbidden to practice, in
 31 such matters, | a fraud upon the general public. The
 32 statute seeks to | suppress false pretenses and to pro-
 33 mote fair dealing in the | sale of an article of food. It
 34 compels the sale | of oleomargarine for what it really is,
 35 by preventing its | sale for what it is not. Can it be
 36 that | the Constitution of the United States secures to
 37 any one | the privilege of manufacturing and selling an

18½ article of food | in such manner as to induce the mass
 19 of people | to believe that they are buying something
 19½ which, in fact, | is wholly different from that which is
 20 offered for sale? | Does the freedom of commerce among
 20½ the States demand a | recognition of the right to practice a
 21 deception upon the | public in the sale of any articles, even
 21½ those that | may have become the subject of trade in
 22 different parts | of the country?

Sheet 3.—Copying from rough draft.

The rough draft of a letter, which accompanies this paper, is to be correctly and neatly copied for signature; all abbreviations are to be written out in full; the corrected or added parts are to be inserted in their proper places; and the matter is to be paragraphed and punctuated properly.

State of New York
 Civil Service Commission

Albany April 5-1884

B. Frank Enos

Clerk Police Commissioner
 Rochester N.Y.

Dear Sir, Your letter of the 3rd inst. referring to ^{the appointments of} policemen, ^{in your City} to received File State Civil Service Commission disclaims any jurisdiction in the several cities of the State. ^{municipal} It is impossible to intelligently advise officers regarding the laws relating to their respective cities without examining the laws affecting them. Boards of Police Commissioners may ^{by regulation} decide upon ^{some} the limit of age which does not ^{first incapacitate} Chap. 464 Laws of 1884 does not ^{take away} ^{afford} this right.

Very Respectfully

In the matter of
 the enforcement of
 regulations

Secretary

Sheet 4.—Arithmetic.

1. Express in writing the following:
831,495.36; 32,789,231; 11,267 $\frac{2}{9}$; CXLIX.
2. A man and his wife inherit \$2,700, the man inherits $1\frac{1}{2}$ times as much as his wife; how much does each inherit?
3. A man received \$33.25 interest on a sum of money loaned five years previous at 7 per cent.; what was the sum lent?
4. A bushel of wheat contains 2,212 cubic inches and weighs 60 lbs.; what would be the weight of wheat contained in a bin 26 feet long, $7\frac{1}{2}$ feet wide and 4 feet deep?
5. From a piece of ground 30 rods wide and 50 rods long, a lot 25 feet wide and 100 feet long was sold for \$275; find the value of the remainder at the same rate.
6. A horse costing \$156.25 was sold for \$256.25; what per cent. was gained?
7. If $\frac{3}{4}$ of a ton of chalk cost £ $\frac{5}{7}$, what will $\frac{1}{2}$ of a ton cost?
8. The assessed valuation of a certain school district is \$123,900, upon which a tax amounting to \$198.24 must be raised. What is the tax on a farm assessed at \$1,480?

EXAMINATION FOR INSPECTORS OF MASONRY.

Held at Buffalo, Rochester, Syracuse and Utica, Feb. 24, 1897.

Sheet 1.—Experience and personal questions.

State truly the facts concerning yourself as follows:

1. Your age years.
2. Your education. What schools did you attend?.....
For how long?.....
To what grade did you attain?.....
3. Have you attained a trade or technical school?.....
If so, what school?.....
What trade or profession did you study for?.....
For how long?.....
4. Did you serve an apprenticeship at any trade?.....
If so, what trade?..... For how long?.....

5. Give in order the principal occupations you have followed since the educational period, what length of time in each?.....

6. Have you ever acted as inspector on any construction or engineering work?.....

If so, on what work or works, and what parts of it did you inspect, and for how long?.....

7. Have you been a master or foreman or employer of labor?..... If so, state the nature of the work and the number of men under your charge.....

8. What is your conception of the duties of an Inspector on Public works,.....

(a) in reference to the specifications of the contract?.....

(b) in reference to the officer under whose orders he acts?...

(c) in reference to the rights of the contractor?.....

9. State any other facts that in your opinion especially qualify you for the position of Inspector of Masonry.....

Sheet 2.—Masonry.

1. Which cement will set under water, Portland, Rosendale or both?

2. When cement mortar has begun to set before it is used, what should be done with it?

3. What is meant by the natural bed of a stone and how can you tell it?

4. Why should brick and stone be wet before laying?

5. Which sets quicker and how much quicker, Portland or Rosendale cement mortar?

6. How wet should brick and stone be before laying?

7. How stiff should cement mortar be mixed for masonry?

8. How stiff should cement mortar be mixed for concrete?

9. Tell the order in which the materials for concrete should be mixed, and the way they should be mixed in making hand-made concrete.

10. Name four important things to look out for in inspecting the making of concrete.

11. Which side of a stone should be laid down in a wall?

12. What part of the time is it necessary for a masonry inspector to be on the work?
13. What precautions, if any, are necessary in laying concrete or cement masonry in summer?
14. Name all the ways you can suggest, of slighting cement masonry.
15. How do you tell good brick from poor?
16. Can concrete or masonry be laid under water? If so, how?
17. What precautions, if any, should be taken in laying concrete or cement masonry in very cold weather?
18. How is lime mortar made?
19. How many masonry jobs within a radius of one mile can one masonry inspector handle at one time?
20. Which makes the stronger mortar, Portland or Rosendale cement, both being mixed with the same proportion of sand?

**EXAMINATION FOR CLERK, BOARD OF HEALTH, CITY OF
AUBURN.**

Held at Auburn, N. Y., Feb. 25, 1897.

Sheet 1.—Experience and personal questions.

1. What is your age?
2. Give the details of your education.
3. State in order the principal occupations you have followed since the educational period, with the length of time and rate of compensation in each.
4. What special experience have you had, and what special qualifications have you, that in your opinion especially fit you for the duties of the position applied for?
5. State any other facts bearing on your comparative merit and fitness for the position.

Sheet 2.—Letterwriting and Handwriting.

Write a letter, correct in form, of 200 words or more, the same to be a report to the Board of Health of the city of Auburn on

the inspection of a dairy supplying milk for sale in the city. Use fictitious facts and sign your desk number, not your name.

Sheet 3.—Arithmetic.

1. Express in words \$728,005,300.075.
2. A certain city of 100,000 inhabitants supplies 4 gallons of water per day for each inhabitant. How many gallons were supplied in 1896?
3. The population of a certain city is 350,000 and the deaths during a year from a certain disease were 777. How many deaths occurred per thousand?
4. The total deaths in New York State in 1894 were 119,780. What was the average daily rate?
5. In a certain city of 1,000,000 inhabitants, in 1892 there was one death in every 50 inhabitants. Ten per cent of the deaths were from consumption; one per cent. from typhoid fever; five per cent. from diphtheria; ten per cent. from diarrhoeal diseases, and the remainder from miscellaneous causes. How many deaths from each cause occurred during the year?

Sheet 4.—Local Geography.

1. Sketch an outline map of the city of Auburn, showing five or six of the principal streets, street railroad lines, steam railroads, public buildings, etc.
2. Who are the principal public officers having offices in the city and where are their offices?
3. Give directions and approximate distances from Auburn of the following places: Rochester, Syracuse, Elmira, Watertown and Hornellsville.
4. Describe the waters and drainage of the vicinity of Auburn, by map or otherwise, extending ten or fifteen miles each way from the city.

Sheet 5.—Sanitary Inspection.

1. What are the objects of the board of health?
What are the duties of a registrar of vital statistics?
What is the legal requirement as to filing a death certificate?

2. How are wells affected by leaky drains, stable accumulations, privy vaults?

3. How may a cellar become the source of ill-health to the occupants of the house?

4. How should a funeral of a case of diphtheria be conducted?

5. How many school children could safely occupy during school hours a room 30 ft. x 20 ft. x 15 ft.?

6. What are the common nuisances found about tenement-houses? How should they be abated?

7. What general directions would you give for the sanitation of slaughter-houses and out-houses?

8. How would you determine the purity of milk?

9. How would you remove night-soil.

10. How would you ventilate schools and factories?

11. How should cattle be cared for when used for food purposes?

12. When used for milk producers?

13. What would you consider sound, healthy meat?

14. How would you discriminate between edible fish, oysters and veal and the unhealthy varieties?

15. How should milk and butter be protected? Why?

16. What are the common polluters of house air?

17. How would you determine their source?

18. What is the source of water supply to Auburn?

19. What is the character of the watershed?

20. What are the dangers of contamination?

EXAMINATION FOR CLERK AND EXPERT PENMAN.

March 3, 1897.

Sheet 1.—Spelling.

- | | |
|----------------|--------------|
| 1. necessary | 6. abeyance |
| 2. sentence | 7. capacity |
| 3. political | 8. character |
| 4. spontaneous | 9. efficient |
| 5. dissension | 10. gigantic |

- | | |
|-----------------|-------------------|
| 11. interrupt | 31. fraudulent |
| 12. memorial | 32. Massachusetts |
| 13. curiosity | 33. hostility |
| 14. simplicity | 34. accommodate |
| 15. society | 35. chisel |
| 16. recommend | 36. transient |
| 17. legendary | 37. scenery |
| 18. achievement | 38. perceive |
| 19. Delaware | 39. salutary |
| 20. gorgeous | 40. heighten |
| 21. casual | 41. ancient |
| 22. gradually | 42. security |
| 23. validity, | 43. believe |
| 24. literal | 44. evasion |
| 25. survivor | 45. financier |
| 26. dissipate | 46. regularly |
| 27. concurrence | 47. profession |
| 28. separate | 48. Cleveland, |
| 29. rarefy | 49. cemetery |
| 30. prevalence | 50. corroborate |

Sheet 2.—Dictation.

The climate of Canada presents great extremes of heat and cold, especially in the lower or eastern part of the province. The seasons of spring, summer and autumn are included between the months of May and September; in October the frosts begin, and during November and the first three weeks of December snow storms are incessant. After this period the atmosphere clears, an intense and dry frost succeeds, and continues until April or May, during the whole of which time the sky is serene and of a bright azure hue. Throughout this long winter the ground is buried under a hard covering of ice and frozen snow. The snow begins to melt in April, and has all disappeared by the first week in May. Summer is then fully established, and the vegetation breaks forth in profuse luxuriance. In the upper or western portion of Canada, particularly in the country which borders on the great lakes, the climate is much less extreme, and the winter of shorter duration.

Sheet 3.—Letter-writing and Handwriting.

Write a letter to the President of the New York Civil Service Commission stating your views as to the benefits to be derived from reading the daily papers, and the proper method of reading to obtain those benefits.

Do not sign your name.

In marking the letters, errors in form and address, spelling, punctuation, capitals, syntax and style will be considered.

Sheet 4.—Arithmetic.

1. Multiply 8.2703 by .1431 and divide the product by .053.
2. A merchant buys sugar at $4\frac{1}{2}$ cents a pound and sells at $5\frac{3}{4}$ cents per pound. He gains \$58.50. How many barrels did he sell if each barrel contains 300 pounds?
3. Divide the sum of $\frac{3}{4}$ and $\frac{2}{7}$ by their difference.
4. What is the interest on \$2,500 for 2 years 6 months 15 days at 5 per cent.?
5. A merchant sells to a retailer at 60 per cent. profit but the latter fails and pays only $12\frac{1}{2}$ cents on the dollar. What is the merchant's gain or loss per cent.?

Sheet 5.—Constitution and Government.

1. What is the "privilege of the writ of habeas corpus?" Explain fully the constitutional provisions in regard to it.
2. Name the executive departments of the United States government. Give the principal functions of each of these departments.
3. Name the 13 original states. What is meant by the expression "original states?"
4. In what way may a bill become a law without the signature of the Governor?
5. In what manner are the following officers chosen?
Lieutenant-Governor, New York State,
Justice United States Supreme Court,
Superintendent of Public Instruction,
Representatives in Congress,
United States Senators.

Sheet 6.—Expert Penmanship.

1. Copy the following in a record hand:

Adopting Order.

The New York Civil Service Commission, under the authority conferred by section 8 of Rule III for the civil service of the State of New York, approved by the Governor and promulgated on the ninth day of December, 1896, hereby makes the following regulations, reserving the right to modify the same from time to time, and to prescribe such special regulations as may be expedient for the proper enforcement of the rules aforesaid.

2. Copy the following in italic letters, making the short letters about one-eighth inch high:

State of New York, Department of Excise.

And the following with small letters one-sixteenth inch high:

Henry H. Lyman, State Commissioner of Excise.

3. Copy the following indorsement as it should appear on a paper folded $3\frac{1}{2}$ by 8 inches:

Supreme Court
Albany County
John F. Callanan
Plaintiff
versus
David G. Rignan
and
Henry K. Manson
Defendants

Defendant's Brief on Appeal

Samuel T. Whitney

Defendant's Attorney,

419 Pearl St.,
Albany, N. Y.

4. Write the words "Rome Custodial Asylum" in old English letters with capitals $\frac{5}{8}$ inch high, the words "Board of Managers"

in smaller old English, and the following names in italic or other appropriate lettering:

Alexander A. Orr, Chairman,
Truman J. Backus,
J. Warren Greene,
Willis L. Ogden,
Joseph T. Perkins,
Albert C. Perkins,
Irving L. Bragdon.

5. Give other evidence of expert penmanship, round writing, engrossing hand, etc.

**EXAMINATION FOR SUPERINTENDENT OF PRINTING, CLOTH-
MAKING, CABINET-MAKING INDUSTRY, STATE PRISONS.**

Held March 4, 1897.

1. What is your age?
2. What is your height?
3. What is your weight?
4. Describe your general education, stating kind of schools attended, length of time and grade attained in each.
5. Have you ever attended a trade or technical school? If so, state the particulars.
6. Have you learned a trade? If so, state what trade, where you learned it and how long you served as an apprentice.
7. What occupations have you been engaged in since leaving school or since learning your trade?
8. What is the largest salary you ever received and when, where and for what were you paid the same?
9. Have you ever had any experience in handling or teaching a number of men? If so, state the particulars.
10. Give the names of all the parties for whom you have worked one month or longer during the past five years.

Sheet 2.—For superintendent of printing industry.

1. Describe some of the finest jobs of printing that have been executed under your charge.

2. Either:

Give in order the names of body type from Two-Line Pica to Diamond.

Or instead:

Describe the point system of type sizes and give the point sizes corresponding to four of the principal sizes of the old system.

3. How many pounds of type are required to fill a pair of cases?

4. About how many thousand ems can be set from a full case of brevier?

5. Give the signs of punctuation with their names.

6. What are quoins, and how used? Show by sketch if needed.

7. Give the composition of printing rollers, ingredients and proportions.

8. Give the names and sizes of the principal standard sizes of paper.

9. Give statement of cost of printing a book of 992 pages, 10,000 copies, at 55 cents per 1,000 ems for composition, 50 cents per token for printing, 5 cents per pound for paper, 60 pounds to the ream of 500 sheets, 32 cents per copy for binding, 1,580 ems type per page and printing 16 pages to sig.

10. Impose form of common sixteen pages.

11. Impose form of common thirty-two pages.

12. Correct the proof sheet given.

13. Explain the signs and abbreviations used in correcting the proof.

14. Describe as nearly as you can the plan you would pursue in installing and operating a printing office in a State prison.

Sheet 2.—For superintendent of cloth-making industry.

1. Into what distinct branches or processes may the cloth-making industry be divided?

2. Name and illustrate by sketches the principal simple forms of weaving.

3. What are the essential parts of an ordinary hand-loom and the function of each?

4. What additional parts in a simple power loom and the function of each?

5. Trace the processes by which wool is treated from the fleece to the yarn ready for weaving.

6. What is a Jacquard loom and for what is it used? What are its essential differences from the simpler forms of loom?

7. What is "pile" and how produced?

8. To what processes would coarse linen toweling be subjected after it is woven? Describe these processes.

9. In starting a cloth-making industry in a prison to employ forty or fifty convicts, how should these men be apportioned to the different branches?

10. How would you begin the instruction of each class of men? How soon would it be possible to get them instructed so that they could turn out finished product?

11. State in detail, as well as you can, the plan you would pursue in starting and carrying on such an industry.

Sheet 2.—For superintendent of cabinet-making industry.

1. What are the principal woods now used in cabinet work? Give the approximate prices of each of these woods.

2. What defects are liable to be found in such woods and what peculiarities that may affect their value?

3. How should timber for cabinet work be seasoned? How would you tell whether it was properly seasoned or not?

4. What would you say, in general, constitutes a good job of cabinet work?

5. Make a working drawing for a two-paneled cupboard door, 1' 3" by 3' 6", 1½ inches thick, proportioning the details properly and giving the dimensions. This drawing may be made with rule and pencil and should be a complete detail such as you would give a workman.

6. How would you make and lay out a miter box?

7. How would you lay out a square timber to make it eight-sided?

8. Show by a sketch the effect of shrinkage on the mitered joint of a picture frame.

9. How might this effect be avoided?
10. How would you teach a convict the proper care of tools, including sharpening, etc.? Give detailed answer.
11. What is quartered lumber? What advantages are gained by quartering?
12. Give drawings and instructions such as you would give a workman to construct a small table drawer. Rough pencil sketch with dimensions will suffice.
13. Describe the various grades of finish that are given to cabinet work. What is their relative excellence and cost?
14. Describe what you consider the finest cabinet work ever executed by you or under your charge.
15. State in detail, as well as you can, the plan you would pursue in starting and carrying on a cabinet-making industry in a State prison.

**EXAMINATION FOR EXPERTS AND AGENTS, DEPARTMENT OF
AGRICULTURE.**

Held at Corning, March 9, 1897.

Sheet 1.—Experience and Personal Questions.

1. What is your age (in years)?.....
2. Describe your general education, stating kind of schools attended, length of time, and grade attained.
3. Have you had any special or technical education in lines that would aid you in the duties of the position applied for?.....
If so, describe such education.
4. Have you learned any trade that would so aid you?.....
If so, name such trade and give length of time served.
5. Give your principal occupations since the educational period, with length of time in each.
6. State any special experience or qualifications, not included above, for the position applied for.

Sheet 2.—For Milk Experts.

1. Quote the provisions of the State law as to what constitutes adulterated milk.

2. Name and describe the principal solids of milk.
3. What is the average percentage composition of milk?
4. How is a "board of health" lactometer graduated? To what specific gravity does the 100 point correspond?
5. If a "board of health" lactometer stands at 104 at a temperature of 57° F., at what point would a Quevenne lactometer stand in the same milk at 65° F.? What would be the specific gravity at 60° F.?
6. What formula may be used for calculating the total solids from the percentage of fat and the specific gravity? Apply it to the following: A sample of milk contains 3.4 per cent. of fat, the ordinary lactometer reads 120 at 60° F.; what is the per cent. of total solids? What would be your opinion of the sample?
7. What variations in the composition of milk raise the specific gravity? What lower it?
8. What changes take place in milk as lactation advances; as the season changes; under the influence of foods?
9. Explain in full the use of the Babcock test, including the principles of its operation and the precautions necessary for accuracy.
10. In inspecting milk, what adulterations would you expect to meet most frequently? How are they most readily and accurately detected?

Sheet 2.—For Vinegar Experts.

1. What kinds of vinegar are there in markets of this State? (5 credits.)
2. What are the constituents of these vinegars, and how do they differ? (10 credits.)
3. How does the New York law define adulterated vinegar? (20 credits.)
4. Must any vinegar in this State be branded? If so, how? (10 credits.)
5. How must an inspection of vinegar be conducted to be legal? (15 credits.)
6. How would you determine the "acidity" of a sample of vinegar? Explain fully. (20 credits.)

7. How would you determine the amount of "solids" in a vinegar? (10 credits.)

8. If these determinations of acidity and solids were made as you describe, would they be accurate? Why? (5 credits.)

9. How does the temperature of the vinegar affect the determination of acidity or solids? Why? (5 credits.)

EXAMINATION FOR TELEGRAPHER.

Held at Elmira and Albany, March 23, 1897.

Sheet 1.—Spelling.

- | | |
|----------------|-----------------|
| 1. manual | 14. education |
| 2. reformatory | 15. authorize |
| 3. machinery | 16. impel |
| 4. industrial | 17. Chemung |
| 5. competent | 18. variance |
| 6. vigilance | 19. imminent |
| 7. diligence | 20. Tennessee |
| 8. immense | 21. caution |
| 9. doubtful | 22. possess |
| 10. excess | 23. California |
| 11. spurious | 24. similar |
| 12. defaulter | 25. Susquehanna |
| 13. criminal | |

Sheet 2.—Dictation.

Section 1. Six months after the passage of this act, no labor-saving machinery, propelled by steam, water, electricity, compressed air, or other motive power shall be used in any of the penal institutions in the state for the purpose of employing the labor of the prisoners confined in such penal institutions.

§ 2. The prisoners confined in such penal institutions shall be employed entirely in the production of articles which do not require the use of machinery, and such articles shall be manufactured exclusively for the use of the inmates of the various institutions, supported in whole or in part by the state.

Sheet 3.—Arithmetic.

In the solution of problems every process must be indicated. Mere answers will not be accepted.

1. Write in words 780,030,561.
2. Write in figures ninety-five million, fifteen thousand eleven.
3. From $11\frac{1}{8}$ subtract $9\frac{1}{4}$.
4. Divide $4\frac{7}{11}$ by $2\frac{1}{3}$.
5. Multiply 2,052 by 7.5.
6. Divide 122.032 by 23.2.
7. How many yards of carpet, 2 feet 3 inches wide, will cover a floor 18 feet 6 inches long and 13 feet 6 inches wide?
8. Find the present worth of \$4,220 due 11 months hence at 6 per cent. per annum.
9. If the tax on a farm valued at \$2,300 is \$41.40, what is the rate?
10. What are the proceeds of a bank note for \$759, payable 4 months after date, without interest?

Sheet 4.—Letter-writing and Handwriting.

Write a letter containing not less than one hundred words to the State Superintendent of Public Instruction, regarding the schools in your locality, with suggestions for their improvement. Do not sign your name.

In marking the letters, errors in form and address, spelling, punctuation, capitals, syntax and style will be considered.

Sheet 5.—Constitutions of New York and the United States.

1. Into what coordinate branches is the government of the United States divided, and what are the principal functions of each?
2. What are some of the powers given by the Constitution to Congress?
3. Where does the power reside for imposing taxes for the use of the national government?
4. How and for what terms are Senators and Members of the House of Representatives in Congress elected?
5. What representation have the territories in Congress?

6. What official has charge of the canals of this State?
7. Mention a legislative body that meets in every county.
What is its unit of representation?
8. How many electors has a State, and how are they chosen?
9. How can the Constitution of this State be amended?
10. Where is the pardoning power vested in this State?

Sheet 6.—Practical telegraphy.

Examiner will send these messages to candidate at rate candidate can receive, not exceeding 20 words per minute. Examiner will note time of each candidate in taking, and excellence of his work as regards errors, "breaks," etc.

Candidate will write out the messages received on "Send" blanks provided.

Burlington Vt May 3d

Robinson & Cheney

Chicago Ill

Buy absconding June wheat on market not exceed Convict open. Cancel all other bids.

Skinner Bro's

14 paid

Kinderhook N. Y. Mar 2nd

Jacob L. Green

Coxsackie Station West Shore R. R. N. Y.

Will reach Albany depot about four P. M. Please meet me there if convenient.

Jonas H. Silvester.

13 paid.

Nassau N. H. Sept 2

Daniel H. Wells

Hotel Cadillac Detroit Mich

Was very much pleased to receive your telegram. Am feeling quite comfortable.

Lottie

12 paid

Philadelphia Pa Oct 12

Mrs Wm. H. McGuire
Sharon Springs N. Y.

Your telegram received. I will meet you in Albany this afternoon.

Wm. H. McGuire

11 paid

Seattle Wash Oct 3d

William M. Beach, Mgr
Cambridgeport Mass

Owing to the withdrawal of deposits and our inability to realize upon assets, the Third National, and Savings Banks have been obliged to close.

Chas. Hopkins Clark

Prest

24 paid

Candidates will send these messages to the examiner. Examiner will note time used in sending each message and excellence as regards "breaks," etc.

North Ferrisburgh Vt Nov 4

Mrs Thomas Edmondson
47 Gordon Terrace Minneapolis Minn

Arrived all right last evening and Gus and Lize met me. Vermont has given McKinley nearly forty thousand majority. Write me often.

Thomas Edmondson

21 paid

Warrensburgh N. Y. Mar 9

Empire Manufacturing Co
237 Franklin St Chicago Ill

Wire and recall goods shipped Thursday David Johnson Indianapolis Ind unable to collect account

Empire Manufacturing Co

14 paid

Scranton Penna Sept 2

John Johnson & Co

Cooperstown N. Y.

Have you oats loaded in Chicago, and can you ship promptly?

Answer.

H. J. Comstock

12 paid

Dunkirk N. Y. Feb. 10

Fredenburgh Spaulding & Co

Chicopee Falls Mass

Have you expressed monarch tires ordered by Merriam for us?
Please answer at once.

Dunkirk Wheel Co

14 paid

Troy N. Y. Depot Mar 10th

Walter S. Balfour

60 Springdale Avenue East Orange N. J.

Expect to leave Albany at ten this morning, and reach East
Orange this P. M.

H. C. Purrington

14 Collect

**EXAMINATION FOR MANUAL TRAINING INSTRUCTOR,
ELMIRA REFORMATORY.**

Held March 22 and 23d, 1897.

Sheet 1.—Education and Experience.

1. Give your age, height and weight.
2. State your education and experience in manual training work.
3. Give detail of positions held and duties performed, with time and place.
4. State your reasons for severing your connection with your last place of employment.
5. Have you studied algebra; and, if so, how far did you advance in it?
6. Have you studied geometry; and, if so, how far did you advance in it?

Sheet 2.—Theory and Methods of Teaching Manual Training.

1. Write out list of tools needed to equip a class of 15 pupils in joinery work.

2. Name the five groups of study comprising the curriculum of ordinary manual training high-schools. Under the head of tool work, what branches are usually taught in such schools?

3. Discriminate both as to aim and the methods pursued between (a) manual training and technical schools, (b) manual training and trade schools.

Sheet 3.—Arithmetic.

Give all work in full.

1. Extract the square root of 62,489,025.

2. A gallon being 231 cubic inches, what is the capacity, in gallons, of a cylindrical stand-pipe 30 feet in diameter and 25 feet in height?

3. Find the surface of a sphere whose diameter is 3 feet.

4. In a square field containing five-eighths of an acre, how far is the center of the field from each corner and from the center of each side?

5. If stocks paying 8 per cent. are sold at 175 and the proceeds loaned at 5 per cent. will the income be increased or diminished, and how much?

Sheet 4.—English Composition.

1. Correct the following sentences:

(a) Allow me to express our gratitude for the universal marks of sympathy shown to the memory of my late husband by all who knew him.

(b) The undersigned being desirous to clear off the balance of his stock of summer goods in order to make room for my steadily increasing business, will offer the whole of my stock in such lots as may suit intending purchasers and at such prices that can not be approached by any in the town.

2. Combine the following sentences into a single complex sentence: A cottage stood in the deepest recesses of a forest. The forest was large and gloomy. The cottage was covered with ivy. The inmates of the cottage were an old woman and a young girl. The girl was of surpassing beauty.

3. Write a letter to a friend, giving an account of a visit which you have made to some place of interest.

4. Rewrite the following so as to express the idea in appropriate form: I warn you against these sharpers that only carry with them a jack-knife and file, as these pretenders have never had any experience, or never learned their trade as mechanics, and probably have no trade, and take to repairing of machines as they know well the people who trust them do not know but what they are competent to do what they say.

5. Write sentences in which the following words are discriminately used: custom, habit; counsel, admonish; leisure, idleness; pity, sympathy; applause, praise.

**EXAMINATION FOR STATISTICAL CLERK AND INSPECTOR OF
TEACHERS' TRAINING CLASSES.**

Held at Albany, March 23, 1897.

Sheet 1.—Spelling.

Use capitals only where proper.

- | | |
|-----------------|-----------------|
| 1. gradually | 14. terrify |
| 2. recommend | 15. excusable |
| 3. necessary | 16. recompense |
| 4. ordinarily | 17. judgment |
| 5. dissension | 18. influence |
| 6. egregious | 19. Delaware |
| 7. damageable | 20. equalize |
| 8. Milwaukee. | 21. rarity |
| 9. abeyance | 22. medallion |
| 10. rarity | 23. effigy |
| 11. dissipate | 24. achievement |
| 12. spontaneous | 25. loneliness |
| 13. February | |

Sheet 2.—Arithmetic.

The following table is a part of the Abstract of Financial Reports of School Commissioners compiled for the Annual Report of 1896:—

Amount on hand Aug. 1, 1894.	Amount appor- tioned to dis- trict.	Proceeds of gos- pel and school lands.	Received from Board of Re- gents.	Raised by tax.	Teachers' board.	Other sources not named.	Total.
\$7,135 14	\$23,369 77	\$9 55	\$1,339 00	\$42,699 17	\$28 00	\$12,633 42	
4,211 90	15,780 26	17 61	565 46	22,098 35	.....	1,321 78	
3,280 84	15,263 18	.....	268 00	21,277 27	.....	1,498 35	
.....	30,971 43	.....	36 00	84,000 00	.....	7,604 94	
19,711 67	28,375 38	.....	1,953 00	75,336 08	.....	6,299 62	
6,314 03	27,338 38	1 00	771 75	54,502 17	48 00	10,223 63	
2,510 31	16,448 60	440 48	784 00	20,559 65	95 50	2,069 28	
5,646 54	18,544 85	626 55	433 00	25,385 27	105 00	8,960 60	

1-2. Extend the footings in the above table first vertically then horizontally, after which extend the footings of totals in the same manner for the grand total of receipts. Do not re-write the numbers.

3-4. In the apportionment of 1896, by the State Superintendent of Public Instruction, the sum of \$928,873 was divided upon the basis of a total population of 6,518,408. Make an apportionment table from the data given, and from it find the sum apportioned to the city of Brooklyn, population 995,276. Leave all work on the paper submitted to examiner.

5. State the method of proof by excess of 9's both for multiplication and for division.

6. A invested equal sums of money for 1 yr., 3 mo., 18 da., one at 5 per cent. per annum, and the other at 7 per cent. per annum. He received on the latter \$14.04 more interest than on the former. Find the sum invested in each instance.

7. If an investor buys \$5000 of U. S. 4's, having eighteen years to run, at such a premium as to net 3 per cent. interest on his investment, what does he pay for the bonds?

8. A contractor building two residences finds that the number of men employed on the first is to the number employed on the second as 7:4, the weekly wages paid individuals on the first to those paid on the second are as 8:7, and the time of construction

of the first to that of the second is as 5 : 12. Find the relative cost of labor on the two buildings.

9. (a) $\frac{5}{17}$ is what decimal part of $\frac{2}{13}$? (b) Is what per cent. of $\frac{2}{13}$? (c) Bears what ratio to $\frac{2}{13}$ if 1 be made the unit of measure?

10. Find the square root of the continued product of 105, 231, and 495 from the factors of the numbers given.

Sheet 3.—Bookkeeping.

1. Rule forms of day book, cash book, journal and ledger. (One page each.)

Memoranda.—Charles M. Harlow of Watkins, N. Y., dealer in hardware, transacts business as follows:

January 3, 1897.—Sold Abram L. Cole merchandise amounting to \$116.25, receiving \$75 in part payment, the balance being charged to account.

January 4th.—Bought of Stanford, Mills & Co., bill of stoves amounting to \$545 at list price, and subject to discounts of 25 per cent. and 10 per cent. He gave in payment therefor his note at sixty days for \$300, payable at the First National Bank of Watkins, and the balance in cash.

Using forms already ruled as above, books of C. M. Harlow:

2. Journalize the transactions of January 3d and 4th.

3. Post the journal entries.

4. Write the note mentioned in transaction of January 4th, and the indorsement thereon when placed in the bank for collection.

5. What is a trial balance, and what is its purpose?

6. The average annual salary paid teachers in the State of New York for 1876 was \$411.83, for 1880, \$369.56, and for 1895, \$483.68. Make a graphic chart set to scale, based upon the salaries for the three years.

7-8. The State Superintendent wishes to issue a comparative statement of school statistics for the years ending July 31, 1896, and July 31, 1897. Rule a form for such comparative statement, with an appropriate heading, and setting forth (a) the statistics for each year by commissioner districts, by cities, and for the

State; (b) the increase or decrease for 1897 by commissioner districts, by cities, and for the State.

Sheet 4.—Algebra.

1. (a) When m and a are integers, under what two conditions will $ma + 1$ be an odd number? (b) Find one side of a square inscribed in a circle b inches in diameter. (c) Required the interest on c dollars for five months at $n\%$ per annum.

2. Find the prime factors of (a) $x^9 + y^9$; (b) $5 + 17x - 12x^2$.

3. Simplify (a) $5\sqrt[3]{\frac{2}{3}}$; (b) $\frac{a^3 c^{-\frac{1}{2}} x^n}{ma^{-2} c^n}$;

$$(c) - \left[x - c \left\{ (a^2 - x) + \frac{x + 1}{-c} \right\} - s \right]$$

4. Divide $\sqrt{5} - \sqrt{3}$ by $\sqrt{-3}$.

5. Write the first, second and last terms of $(3x - c)^n$ expanded. How many terms must there be in the complete expansion?

6. $\begin{cases} x^2 + xy = 40 \\ x - 2xy = -25 \end{cases}$ Solve for all values of x and y .

7. $\begin{cases} x^2 - y^2 = 45 \\ x^2 + 2xy = 77 \end{cases}$ Solve for one value each of x and y .

8. A line c inches long is to be divided into two parts so that the rectangle whose dimensions are the whole line and one part respectively, is equal in area to the square on the other part. Required the length of the greater part. (Make statement only.)

Sheet 5.—School Law.

N. B.—Candidates for the position of Statistical Clerk answer questions 1 to 8 inclusive. Candidates for the position of Inspector answer questions 3 to 10 inclusive.

1. (a) The State school moneys apportioned by the State Superintendent of Public Instruction are derived from what three sources? (b) Name the eight heads or divisions of his apportionment.

2. Mention three duties of town supervisors under the provisions of the Consolidated School Law.

3. What is the provision of the Consolidated School Law in regard to plans for new school buildings?

4. State briefly the law in regard to the taxation of real estate lying in one parcel or body and owned or occupied by one person, but situated in two or more school districts.

5. What are the qualifications of voters at school meetings in this State?

6. What authority over the academic departments of union free schools is vested in the State Superintendent of Public Instruction?

7. (a) In what manner and for how long a term may text-books be adopted for use in a union free school district? (b) In a common school district? (c) How may text-books so adopted be legally changed before the expiration of the term of adoption?

8. What are the duties of school commissioners in regard to teachers' training classes, as prescribed by the act relating thereto.

9. What are the qualifications prescribed by the State Superintendent of Public Instruction for pupils in order to be admitted to teachers' training classes in cities? In other localities?

10. What is the provision of the Consolidated School Law in relation to (a) the amount of the annual appropriation for teachers' training classes; (b) from what funds the money shall be taken; (c) by whom the schools to instruct these classes shall be designated; (d) the amount to be paid a school for instruction?

Sheet 6.—Civil Government.

UNITED STATES AND NEW YORK.

1. The Constitution vests in what branch of the government the power (a) to declare war; (b) to make treaties; (c) to collect revenue; (d) to appropriate money?

2. What is the constitutional definition of treason, and what are the provisions as to the proof necessary to convict a person of treason?

3. What constitutional restrictions are placed upon the States as to (a) public records; (b) the construction of contracts made in other States; (c) privileges of citizens of other States?

4. What is the constitutional provision as to religious tests?

5. The Constitution declares that no State shall enter into any treaty, alliance or confederation. Give reasons for this provision.

6. (a) What is the constitutional provision relative to the adjournment of Congress?

(b) What is the constitutional provision relative to the adjournment of the Legislature?

7. (a) What census is the basis of enumeration for Senate districts? (b) How is the ratio of representation for a Senator obtained? (c) What limit is placed upon the number of Senators any one county may have, and (d) what is the object of such limitation?

8. (a) When does the Constitution provide that the Legislature shall meet in annual session? (b) What persons are entitled to vote at the organization of the Legislature? (c) What is the procedure in cases of contested election of members?

9. Name the four principal sources of revenue for the State.

10. Name three duties of each of the following officers: (a) Governor; (b) Comptroller; (c) Secretary of State; (d) Attorney-General.

Sheet 7.—English Grammar.

'Tis wisdom to beware, and better to avoid the bait than struggle in the snare.—Dryden.

Questions 1 and 2 refer to the foregoing selection.

1. Give the grammatical subject and predicate of each clause, and classify the clauses as principal or subordinate.

2. (a) Select all the infinitives, and (b) give the syntax of any one of them. (c) Give the syntax of *bait*.

Who noble ends by noble means obtains,
Or, failing, smiles in exile or in chains,
Like good Aurelius let him reign, or bleed
Like Socrates, that man is great indeed.—Pope.

Questions 3 and 4 refer to the foregoing selection.

3. (a) Select all the subordinate clauses, and tell what each one modifies. (b) Parse *indeed*.

4. (a) Select all the prepositional phrases, and tell what each one modifies. (b) Give the syntax of *reign*.

5. What auxiliary verbs are combined with only the past (i. e. perfect) participle of the principal verb?

6. Give a synopsis of the verb shoot in the passive form, indicative mood, third person and singular number, and including its infinitive and participle forms.

7. (a) What meaning is conveyed when the auxiliary *shall* is used in the second or third person? (b) The same collective noun may have for its predicate in one sentence a verb in the singular, and in another a verb in the plural, both correctly used. Explain.

8. Mention the more common grammatical errors in ordinary composition (such as letter-writing) in the use of (a) pronouns; (b) possessive forms; (c) modifying phrases or clauses.

9-10. In each of the following, point out the errors, state what grammatical usage is violated, and show what correction should be made:

- (a) Such prices are only paid in times of great scarcity.
- (b) Each one of the vowels represent several sounds.
- (c) He said it was a great misfortune that men of letters seldom looked on the practical side of life.
- (d) Previous to our arrival the steamer had weighed her anchor.
- (e) A cleverer man is seldom found.
- (f) When a man kills another from malice, it is called murder.
- (g) A trochee has the former syllable accented and the latter unaccented.
- (h) That pine overtops all the trees of the forest.
- (i) The car was so packed as not to admit of another passenger.
- (j) The relative should be placed as nearly as possible to its antecedent.

Sheet 8.—English Composition.

Write an essay of from 250 to 300 words on any one of the following subjects, including at least the subheads given, and paying particular attention to arrangement, paragraphing and punctuation:

1. "THE ADMINISTRATION OF PRESIDENT MCKINLEY."

The composition of his cabinet; the political complexion of each house in the present Congress; the principal difficulties confronting the administration at its beginning; the great economic questions that engage its attention, and the conflicting conditions, both political and economic, that make these questions difficult to settle.

2. "THE CUBAN REBELLION."

The approximate size and population of the island; its general topography and agricultural resources; the general character of its population; a brief statement of its political history; the principal difficulties in the way of success for each side in the struggle; and the political and commercial conditions that make the struggle one of peculiar interest to this country.

3. "THE CRETAN TROUBLE."

The location of Crete; its approximate size and population; its general topography; the character of its population; the cause of the present uprising; the special interest of Greece and of Turkey in the result; the comparative strength of these two powers both in land and naval forces; the reason for the interest shown by the great powers of Europe, and their attitude and action to the present time.

Sheet 9.—Methods and School Economy.

1. Distinguish between inductive and deductive teaching.
2. Distinguish between teaching and simply imparting knowledge.
3. What must precede perception?

4. Discuss the relative merits of the study of arithmetic and the study of grammar, in developing the judgment.
5. Define the term "School Economy."
- 6-7. Give an outline of a program suitable for a rural school.
8. What is meant by the term "discipline" as related to teaching?
9. Outline a lesson in primary arithmetic.
10. Outline a lesson in algebra. Topic—The first lesson on "Affected Quadratics."

Sheet 10.—Art of Questioning.

1. Mention three classes of questions that should be avoided by the teacher in testing the knowledge of the pupil.
2. (a) What is meant by a leading question? (b) Give an example of such a question.
3. When are the order and the continuity of the questions to be asked of special importance?
4. In criticising an answer, what two elements of correctness should be considered?
5. Name three essential qualities of a good question.

Sheet 11.—History of Education.

1. Discuss briefly the characteristics of education among (a) the Chinese; (b) the Egyptians.
2. Give a brief sketch of education among (a) the Greeks; (b) the Romans.
- 3-5. Give a brief sketch of the educational work of each of the following: (a) Socrates; (b) Xenophon; (c) Pythagoras; (d) Quintilian; (e) Seneca; (d) Alcuin; (e) Abelard; (f) Fenelon; (g) Froebel; (h) Spencer; (i) Page.
6. Compare the education of the 18th century with that of the 19th century.
7. Discuss briefly, from the beginning, the progress of education in this State in (a) elementary schools; (b) secondary schools; (c) colleges and universities.
8. Discuss briefly the origin and growth of professional training in this State in (a) normal schools; (b) training classes; (c) instruction in pedagogy in the colleges and universities.

9-10. Give a brief synopsis of the law establishing training classes in (a) villages having a union school; (b) cities.

11-12. State briefly the duties of the position for which you are being examined.

13-15. From your study of the growth of education in this State what suggestions can you make that will advance in effectiveness the work of training teachers.

Sheet 12.—American History.

1. To what political party did each of the following respectively belong: (a) Sumner; (b) Greeley; (c) Seymour; (d) Tilden; (e) Lincoln; (f) Grant; (g) Fremont; (h) Seward; (i) Garrison; (j) Stephen A. Douglas.

2. With what important historical event is each of the following named respectively associated: (a) Montcalm; (b) Farragut; (c) Lawrence; (d) Hull; (e) Braddock.

3. Name the states known as border states during the civil war.

4. The strategy of the British in endeavoring to secure possession of the Hudson valley during the Revolution had what parallel in the civil war?

5. Name an American Statesman prominently identified with each of the following measures: (a) The Missouri Compromise; (b) the Wilmot Proviso; (c) the Kansas-Nebraska Bill.

6. Describe the electoral commission of 1877 with reference to (a) its purpose; (b) the number composing it; (c) from what bodies the members were chosen.

7. (a) To whom are we chiefly indebted for the "Louisiana Purchase;" (b) Name five states since formed from that territory.

8. New York was the last state to adopt the Constitution prior to the election of the first President. (a) Give two reasons for the reluctance of the people of the state to join the Union; (b) Name two political leaders of the state opposed to the adoption of the Constitution. (c) Two in favor of its adoption.

9. The Dutch discovered New York bay, bought the land from the Indians, and settled the Hudson Valley; (a) What claim had

the English to the territory? and (b) how did they secure possession? (c) About how long was New York an English Colony?

10. Of the states admitted to the Union since the original thirteen, name (a) two admitted previous to 1800; (b) one between 1800 and the war of 1812; (c) three between the war of 1812 and the beginning of the Mexican war; (d) two between the beginning of the Mexican war and the opening of the civil war; (e) three since the opening of the civil war.

Sheet 13.—Physics.

1. (a) Make a draft of a common lifting pump. (b) Explain its action.

2. State the law of expansion and contraction of water and give an illustration of the law.

3. An electrified body temporarily attracts small light bodies but almost immediately repels them. Explain.

4. An open tank filled with water has the following inside dimensions: length 10 ft., width 8 ft., depth 6 ft. Required the pressure on the side, end, and bottom of the tank respectively.

5. Describe an experiment with Atwood's machine which illustrates the laws of uniformly accelerated motion.

6. Describe accurately and in detail some form of dynamo.

7. Describe (a) a storage battery, (b) a primary battery; (c) illustrate the use of each.

8. The temperature as indicated on a Fahrenheit thermometer was ten degrees below zero. What was the temperature as shown on a centigrade thermometer.

9. Distinguish between intensity, pitch and quality of sound and state upon what each depends.

10. There are certain angular limits within which one can see into water. Explain the principle governing such limits.

Sheet 14.—Physiology and Hygiene.

1. State three forces that cause the blood to circulate.

2. Distinguish between arteries and veins (a) as to construction; (b) as to purpose.

3. Describe the respiratory organs, explain their action, and state the amount of pure air required by an adult each hour.

4. What part of the nervous system controls the peristaltic action of the muscles of the alimentary canal?

5. To what malformation of the crystalline lens is far-sightedness due? How may this defect in vision be corrected.

6. What causes the depression which usually follows the excessive use of alcoholic drinks?

7. (a) What are the principal food elements digested in the stomach? (b) What fluid aids in the process? (c) What food elements are absorbed by the blood vessels of the stomach? (d) Into what do these blood vessels empty?

8. (a) Of the gastric and pancreatic juices, which is acid and which is alkaline? (b) By which of these juices is starch converted into sugar? Explain.

9. To which of the three coats of the eye do these parts respectively belong: (a) the iris; (b) the retina; (c) the ciliary processes; (d) the cornea.

10. Define (a) the arachnoid; (b) peritoneum; (c) pleura.

Sheet 15.—Drawing.

1. Distinguish between a relief and a fresco.

2. (a) Draw to represent a square in perspective 2" on a side, horizontal and directly in front and below the eye. The line representing the forward edge to be exactly 1" below the line indicating the eye level.

(b) Modify to represent the back of an envelope.

3. Draw to represent a square prism in a vertical position, the top, front and right sides in view. (b) Modify to represent a chair, all lines of the chair to be wholly within the outlines of the type forms, thus indicating that a knowledge of type forms aids in drawing other objects. Dimensions to be 2" by 1".

4. (a) Draw a horizontal line to represent the eye level. (b) Draw to represent a log in perspective, diameter one-half inch. Position of log, directly in front and below the eye, and toward observer; (c) one inch and a half, each side of the log, represent a log lying in the same position. All logs to be of equal size.

5. Distinguish between the terms elevation and plan.

6. Draw to represent a door and its frame, full front, door to be partly open and swung forward, eye level with the center. Altitude inside frame $2\frac{1}{2}$ inches, width $1\frac{1}{2}$ inches.

7. What is (a) constructive drawing; (b) representative drawing; (c) decorative drawing.

8. When is drawing said to be symmetrical?

9. (a) Draw to represent a cube having top, front and left side in view. Diameter $1\frac{1}{2}$ ". (b) Repeat, and modify to represent three books, standing side by side, touching each other, the whole outline of which shall be the same as the cube.

10. What is the aim of the draughtsman in making a working drawing? (b) Make a working drawing of a common square headed bolt.

EXAMINATION FOR JUNIOR CLERK.

Held March 24, 1897.

Sheet 1.—Spelling.

- | | |
|------------------|-----------------|
| 1. something | 20. would |
| 2. habits | 21. penetrate |
| 3. savage | 22. proud |
| 4. connection | 23. habitual |
| 5. accustomed | 24. which |
| 6. boundless | 25. observation |
| 7. majestic | 26. character |
| 8. trackless | 27. American |
| 9. mind | 28. taken |
| 10. striking | 29. scenery |
| 11. formed | 30. range |
| 12. Arab | 31. forests |
| 13. nature | 32. rivers |
| 14. simple | 33. plains |
| 15. fitted | 34. wonderfully |
| 16. difficulties | 35. sublime |
| 17. privations | 36. wilderness |
| 18. soil | 37. desert |
| 19. kindly | 38. stern |

- | | |
|--------------|-----------------|
| 39. enduring | 45. trouble |
| 40. grapple | 46. through |
| 41. support | 47. stoicism |
| 42. little | 48. taciturnity |
| 43. heart | 49. casual |
| 44. virtues | 50. linked |

Sheet 2.—Copying from rough draft.

The rough draft of a letter, which accompanies this paper, is to be correctly and neatly copied for signature; all abbreviations are to be written out in full; the corrected or added parts are to be inserted in their proper places; and the matter is to be paragraphed and punctuated properly.

Albany December 11th 1894

Hon. John M. Smith
 Supt. of Public Instruction,
 Albany, N.Y.

Sir I take the liberty of sending you ^{by} ~~the~~ ^{the} ~~last~~ ^{last} ~~issue~~ ^{issue} of the ~~publication~~ ^{publication} showing changes in the school law of this State made by the Legislature. upon the 1st page you will observe our new amendment which empowers the State Supt. in this action, to issue normal school diplomas and elite certificates issued in other States, so as to give such diplomas and certificates the same force and effect as similar documents here issued. It is my purpose to exercise the authority thus conferred, and it is also my desire ~~to~~ ^{to} to secure for the graduates of normal schools from this State (and the holders of elite certificates who may choose to go into other States) the same advantages which they heretofore procure from those States coming here.

Yours Respectfully
 William E. Jones
 Supt.

in case where it may be done with propriety,

Sheet 3.—Letter-writing and Handwriting.

Write a letter containing not less than one hundred words to the State Superintendent of Public Instruction, regarding the schools in your locality, with suggestions for their improvement. Sign your desk number instead of your name.

In marking the letter its errors in form and address, spelling, punctuation, capitals, syntax and style will be considered.

Sheet 4.—Arithmetic and Algebra.

1. What sum of money placed at simple interest for 2 years, 3 months and 15 days at 8 per cent. will amount to \$1,775?

2. Multiply .875 by $\frac{2}{3}$ and divide the product by the difference between $\frac{2}{3}$ and .3125. Express the result as a decimal.

3. The difference between the incomes derived from investing a certain sum in 4 per cent. stock at $112\frac{1}{2}$ and in $2\frac{1}{2}$ per cent. stock at 75 is \$84; find the sum invested.

4. How many gallons of water will be contained in a stand pipe 77 feet high and 88 feet in diameter? (231 cu. in. = 1 gal. $\pi = 3\frac{1}{2}$.)

5. A sold a horse to B at a profit of 50 per cent. and B afterwards sold him back to A at a profit of 50 per cent. gaining \$75. What was the original cost to A?

1. Solve
$$\begin{cases} ax + by = c \\ 2ax + y = d \end{cases}$$

2. The sum of two numbers multiplied by the greater is 28, and the same sum multiplied by the less is 21; what are the numbers?

3. Solve
$$\begin{cases} x - y = 2 \\ x^2 + y^2 = 130 \end{cases}$$

4. Simplify
$$\frac{(x^2 - y^2)(2x^2 - 2xy)}{4(x - y)^2 \div \frac{xy}{x + y}}$$

5. Extract the square root of $a^2 + 4ab - 2ac + 4b^2 - 4bc + c^2$ by the method of trial divisor.

Sheet 5.—Geography, History and Constitutions.

1. Name five large cities on the Mississippi river and give the State in which each is situated.

2. Name five large rivers in the United States whose waters flow directly or indirectly into the Atlantic ocean.

3. What is the area of New York State in square miles? How far is it from Albany to Buffalo?

4. Name the States on the northern border of the United States from ocean to ocean.

5. Name the counties on the eastern border of New York State.

1. Name the thirteen original States. What is meant by the expression "Original States?"

2. Give the names of ten men, citizens of New York State, who have been prominent characters in the history of this country, stating in what way each has been prominent.

3. Mention five generals on each side in the late War of the Rebellion.

4. Give a brief account of the "Confederate States of America."

5. Name in order the Presidents of the United States since Lincoln. Give some important event connected with the administration of each.

1. Give a brief account of the formation and adoption of the United States Constitution and name five men who were prominent in this connection.

2. How are United States Senators and Representatives apportioned among the States and what is the reason of this arrangement?

3. When does the State Legislature meet and how often? What is the name of the present Speaker of the Assembly?

4. How are the following officers chosen?

Lieutenant-Governor.

Judge Court of Appeals.

Superintendent of Public Instruction.

Secretary of State.

Commissioner of Agriculture.

5. How many members of Assembly are there in this State? How many State Senators? How is their number fixed?

Sheet 6.—English Language and Literature.

1. Classify the following words as Latin, Greek or Saxon: handsome, persuasion, verb, cyclone, octave, hope, alphabet, power, almost, orthodoxy.

2. Correct the following sentences and give the reason for each correction:

- (a) I could do it easy enough if every one paid their share.
- (b) The elder of the three sisters is the prettier.
- (c) If I were him I would go home.
- (d) How long is it since you have heard from your father?
- (e) It is used both as a transitive and intransitive verb.

3. Rewrite the following quotation, making all necessary corrections:

“now then sir said sam in an encouraging tone off with you and show them how to do it.

stop sam stop said mr winkle trembling violently and clutching hold of sams arm with the Grasp of a drowning man how slippery it is sam.

not an uncommon Thing upon ice sir replied mr weller hold up sir this last observation of mr weller bore reference to a demonstration made at the instant of a frantic desire to Throw his feet into the air and dash the back of his head on the ice.”

4. Give the name of the author of each of the following books and tell when he lived: The Ancient Mariner, The Deserted Village, Modern Painters, Childe Harold, Rasselas.

5. Give a sketch of the life and mention the chief works of one of the following authors: Macaulay, Tennyson, Whittier.

6. Write sentences in which the following words are discriminately used: custom, habit; counsel, admonish; leisure, idleness; pity, sympathy; applause, praise.

7. Correct the following sentence: The undersigned being desirous to clear off the balance of his stock of summer goods in order to make room for my steadily increasing business, will offer the whole of my stock in such lots as may suit intending purchasers and at such prices that cannot be approached by any in the town.

8. Give the meaning of and form a word from each of the following stems: alt, numer, scrib, mult, tact. Write sentences in which the words are correctly used.

9. Analyze by diagram or otherwise the following sentence: In this country where the rough and ready understanding of the people is sure at last to be the controlling power, a profound common sense is the best genius for statesmanship.

10. Give the feminine of uncle, hero, widower, duke; the masculine of lass, witch, actress; the plural of loaf, valley, potato.

EXAMINATION FOR EXPERIMENT STATION ASSISTANT.

Held April 10, 1897.

Sheet 1.—Experience, Education, etc.

1. What is your age? Your height? Your weight?
2. Is your health perfect? Have you any defect of sight, hearing or limb?
3. Describe your general education, stating schools attended, length of time, and grade attained.
4. Have you had any special or technical education in agricultural lines? If so, describe it in full.
5. Have you studied chemistry, botany, or entomology? If so, to what extent?
6. Have you any knowledge of or experience in photography?
7. What occupations have you followed since the educational period and how long in each? What is the highest salary or wages you have had and when, where and in what occupation did you receive it?
8. Describe your practical experience in and knowledge of farm and garden work? Have you any experience in the care of a forcing-house?
9. Describe any other experience you have had or state any other facts that, in your opinion, would be of value in the duties of assistant at the experiment station.

Sheet 2.—Letter-writing and Handwriting.

Write a letter in proper form addressed to the Director of the Agricultural Experiment Station stating your views as to "the way in which the experiment station can be of most use to Long Island farmers."

Sheet 3.—Arithmetic.

1. Add the following, placing the sum at the bottom:

\$95,673,917.88
34,376,013,705.80
32,673,231,698.25
9,746,910,286.16
26,195,328,266.57
8,956,864,397.49
9,048,307,000.33

2. Multiply 6,947 by 5,039. (Give work in full.)
3. Divide 5,868,150 by 725. (Give work in full.)
4. A workman earns 19 cents an hour and works 307 days, for which he receives \$466.64; how many hours did he work per day? (Give work in full.)
5. In a certain jail there are 684 prisoners of whom 209 are women, 57 girls, 68 boys and the rest are men; how many men are there? (Give work in full.)

Sheet 4.

1. In what manner do plants take up their mineral food from the soil?
2. What chemical elements are considered indispensable in a complete fertilizer?
3. What substances are commonly used to furnish these elements?
4. What food do plants derive from other sources than the soil, and in what manner?
5. In spraying plants to protect them from insects, what is the nature of the preparations used and the manner of their application? Upon what does the efficacy of such treatment depend?

6. Same, in spraying for protection from fungous diseases.
7. Discuss the raising of potatoes as to cultivation, fertilizers, and protection from pests. What recent discovery of the Jamaica station as to potatoes has attracted attention?
8. Describe the building and accessories of a properly equipped greenhouse.
9. When is the proper time to prune grape vines and what is the object of pruning?
10. Give the botanical names of the following trees:
 - The sugar maple.
 - The hemlock.
 - The white birch.
 - A common hickory.
 - A common American elm.

Give the common name of the following trees:

- Populus tremula.*
- Quercus virens.*
- Aesculus hippocastanum.*
- Fagus ferruginea.*
- Acer silvestris.*

EXAMINATION FOR JUNIOR ASSISTANT PHYSICIANS.

Held April 10, 1897.

Sheet 1.

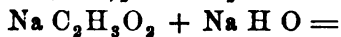
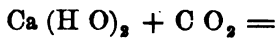
1. Give the gross anatomy of the thorax.
2. Name the cerebral convolutions and fissures.
3. Name the ferments that are the essential constituents of each digestive fluid.
4. What changes take place in the composition of the blood as it passes through the kidneys?
5. Give the official names and doses of laudanum, paregoric, Fowler's solution, wine of antimony, tartar emetic, croton oil, and Glauber's salt.

6. Give the dose, physiological action, therapeutic uses, antagonists, and physiological and chemical incompatibles of chloral hydrate.

7. Mention five hypnotics; give their doses and physiological actions.

8. How does diet affect the elimination of urea?

9. Complete the following equations, and write the name of each resulting compound under its formula:



10. Give a resumé of obstetric asepsis and antisepsis, differentiating the terms.

Sheet 2.

11. Describe the conduct of a normal labor in its several stages.

12. Name the varieties of placenta prævia and state how they should be managed.

13. Describe the treatment of Colles' fracture.

14. What is the treatment of empyema?

15. What circumstances render the operation of trephining advisable?

16. Give the clinical history of locomotor ataxia.

17. Describe the management of a case of typhoid fever.

18. Give the physical and rational signs of pleurisy before and after effusion.

19. Outline the prophylaxis of tuberculosis.

20. What casts are frequently found in albuminous urine and what do they denote?

**EXAMINATION FOR SUPERINTENDENT GOODYEAR SHOE
INDUSTRY, SING SING PRISON.**

Held April 22, 1897.

Sheet 1.—Spelling.

1. convict

4. wrong

2. warden

5. civil

3. obey

6. adopt

- | | |
|--------------|---------------|
| 7. officer | 29. weapon |
| 8. neglect | 30. greatest |
| 9. repose | 31. observe |
| 10. keeper | 32. deputy |
| 11. letter | 33. citizen |
| 12. relative | 34. perform |
| 13. escape | 35. presence |
| 14. uniform | 36. language |
| 15. convey | 37. humane |
| 16. instruct | 38. necessary |
| 17. educate | 39. medicine |
| 18. nerve | 40. hospital |
| 19. condemn | 41. inquire |
| 20. prevent | 42. physician |
| 21. refrain | 43. physical |
| 22. permit | 44. occur |
| 23. ration | 45. strictly |
| 24. secure | 46. standard |
| 25. alarm | 47. mechanic |
| 26. safety | 48. laborer |
| 27. vigilant | 49. compete |
| 28. services | 50. liquor |

Sheet 2.—Plain Copy.

Directions.— Copy precisely the following, punctuating and capitalizing as in the copy.

After the termination of three months from the passage of this act no officer or clerk shall be appointed, and no person shall be admitted to or be promoted in either of the said classes now existing or that may be arranged hereunder pursuant to said rules, until he has passed the examination, or is shown to be exempted from such examination, in conformity with such regulations. Such regulations hereinafter prescribed and established, and any subsequent modification thereof, shall take effect upon the approval of the New York Civil Service Commission. Officers elected by the people, and the subordinates of any such officer,

for whose errors or violation of duty said officer is financially responsible shall not be subject to the regulations prescribed pursuant to this section, nor shall any regulations contravene an existing statute relating to entrance to said service.

Sheet 3.—Arithmetic.

1. Write in figures the following: thirty million, sixteen thousand eight.
2. The number of prisoners confined at Sing Sing is 1,256; at Dannemora, 1,089; at Auburn, 1,499; how many in all?
3. The total cost of the new Capitol is estimated at \$24,000,000. There has been already expended \$22,567,295. How much will be required to complete the building?
4. What is the total amount required to pay the salaries of members of Assembly, there being 128 members, the salary of each being \$1,500?
5. The President receives an annual salary of \$50,000. How much is this per month?

Sheet 4.—Experience, etc.

1. State your age, height and weight.
2. Describe your general education, giving kind of school, length of time and grade attained.
3. Have you had any trade school or technical school education? If so, describe it.
4. Describe in detail your experience in the shoe business, stating positions held, kind of work done by you, number of men under your charge, etc.
5. State what other occupations you have followed, when and for how long.
6. State any other facts bearing on your fitness as a superintendent of Goodyear shoe industry in Sing Sing prison.

Sheet 5.—Practical Questions.

1. Describe the whole Goodyear process of manufacturing a welt shoe, stating the different processes and machines in order and the work done by each.

2. Show by sketch the condition of the shoe as it leaves each process. Sketch only the edge of shoe and sole in cross section, showing the additions and changes in each process.

3. How should the work of each process be inspected?

4. Into what classes would you divide your contract operators? Of a total of thirty operators, how many should be in each class?

5. How would you plan and conduct the instruction of convicts in the Goodyear industry?

EXAMINATION FOR STENOGRAPHERS.

Held at Watertown and New York, April 3, 1897.

Sheet 1.—Spelling.

- | | |
|-------------------|--------------------|
| 1. reverse | 26. Buffalo |
| 2. stupefy | 27. competent |
| 3. perilous | 28. superintendent |
| 4. disdain | 29. equalize |
| 5. reference | 30. telegram |
| 6. effectual | 31. foreign |
| 7. license | 32. extension |
| 8. literary | 33. Milwaukee |
| 9. machinery | 34. ballot |
| 10. familiar | 35. immense |
| 11. scientific | 36. distinguish |
| 12. Massachusetts | 37. fuel |
| 13. rarity | 38. ordinary |
| 14. obedience | 39. candidate |
| 15. possess | 40. San Francisco |
| 16. occasion | 41. causally |
| 17. finally | 42. political |
| 18. annual | 43. sentence |
| 19. Virginia | 44. simplicity |
| 20. penetrate | 45. governor |
| 21. comedy | 46. alliance |
| 22. audience | 47. consequence |
| 23. careful | 48. analysis |
| 24. description | 49. permission |
| 25. Ontario | 50. conscious |

Sheet 2.—Dictation at the rate of 90 words per minute.

The Commission has made special efforts during the year	Sec.
to keep its examinations as practical | as possible, because	10
it recognizes the fact that much of the success of its	
work | depends upon their practical character. On ac-	20
count of the variety of positions brought within the |	30
classified service by the Executive order of May 6, 1896,	
many new examinations | have had to be prepared, and	40
much original work has been done in the preparation | of	50
special and technical examinations to fill vacancies.	

The Commission has found it necessary, in | order to	(1)	60
meet new conditions, to prepare examinations or tests en-		
tirely different from those heretofore | given. For some		10
of the newly classified positions, especially those included		
in the mechanical trades, | new elements have been intro-		20
duced in the examination such as experience, character as		
workman, age, | and physical condition. The examina-		30
tions prepared for these positions enable the applicants		
who have the | requisite experience and ability, but who		40
have but little educational qualifications, to pass the ex-		
amination | and become eligible for appointment. Those		50
appointed from the examinations for the various trade		
positions, | are given a practical examination upon report-	(2)	60
ing for duty in the work which they are | required to per-		10
form, which they must pass before they receive absolute		
appointment. For some of | the positions, such as surf-		20
man in the life-saving service, the examination to deter-		
mine the | relative merits of applicants is confined to the		30
elements of physical condition, experience and age. | It		40
is proposed to have no educational test, or to have an edu-		
cational test, with | a very light weight, in examinations		50
for positions requiring practically no educational qualifica-		
tions.		

The examinations | of the Commission now range from	(3)	60
the simplest forms—in which no educational test what-		
ever | is given beyond the ability to fill out an application		10
blank and furnish satisfactory evidence | as to experience,		20
character as workman, age and physical condition—to pro-		
fessional, technical, and scientific | tests for the various		30

Departments of the Government. In the preparations of examinations the Commission | has been careful to avoid the introduction of any tests which are not of value | in bringing out the qualifications of applicants for the positions which they seek, the simplest | tests being applied to those who apply for positions where the duties require little or | no educational qualifications, and the more difficult examinations being given to those seeking positions requiring | the highest qualifications.

The best evidence of the practical value of the Commission's examinations is | shown in the success of those appointed to the service. Appointments are made for a | probationary period of six months, at the end of which period, if the probationer's services | are satisfactory, he is given an absolute appointment; and if his services are not satisfactory, | he is discharged from the service. During the last fourteen years, since the organization of | the Commission, less than 1 per cent a year of those appointed to the departmental | service through the certifications of the Commission have failed to receive absolute appointment, while last | year in the railway mail service, where physical qualifications are prerequisite to examination, only 5 | out of 655 persons selected for appointment failed to receive absolute | appointment. These results are a sufficient answer to charges, made without investigation, that the examinations | of the Commission do not test the fitness of applicants for admission to the service. | In certain examinations where the experience of applicants is of practical value in determining their | relative qualifications, the subject of experience is graded and given weight as a part of | the examination.

Mins. 6½

Sheet 3.—*Dictation at 120 words per minute.*

Post-Office, New York, N. Y.

Office of the Postmaster, October 30, 1886

Gentlemen.—I am in receipt of your favor of twenty-ninth inst., asking to be furnished with my opinion, based upon my experience in office, of the merit or demerit of the competitive plan of

selecting persons for positions here, and to be advised to what extent I would deem it judicious to apply that plan to my subordinates.

As you may perhaps be aware, the competitive plan was in operation at this office for some years before its application was made compulsory by law, and it has of course been continued since that time. Its good results have been so manifest, and its superiority over the patronage system has been so clearly and practically demonstrated that I have applied it to all positions to which I have the power of appointment, without regard to the exceptions permitted under the law, save in the case of the three interpreters employed here—and I may add that even in these cases the competitive principle was adopted as far as possible, and that the appointments thus made were to the lowest grade. No vacancy which might occur in any other of the positions excepted by the statute would be filled otherwise than by the promotion of the subordinate occupying the next highest position, won by his own merit and in which he had acquired the necessary training and experience to qualify him for advancement. The knowledge of the existence of this rule has been found to act—as it is intended to act—as an incentive to each employe to perfect himself in the knowledge of his duties and to apply the same constantly to the benefit of the service. Herein, as it seems to me, lies the principal advantage of the competitive over the patronage system. Under the former, the hope of advancement to the higher and more lucrative posts may be entertained by all, and is realized by the most worthy; whereas, under the latter, no amount of personal merit or technical skill would avail against the “influence” which was too often at the command of those whose only merit and skill lay in quite other directions than that of official efficiency. When appointments were parceled out as patronage to be shared among district leaders or associations, the appointees naturally and inevitably considered those leaders as entitled primarily to their allegiance, and, looked to them to secure their retention, the condonation of their shortcomings, and their promotion at the first opportunity. What competition then existed was not among those who strove to demonstrate their fitness for the places they sought, but as

simply a contest as to who should secure those places through the display of political influence and the evidence of their partisan services. Under that system appointments could be and were made to positions of importance requiring not only honesty and intelligence, but a thorough knowledge of the intricate details of postal business, of men of mature and even venerable age who had passed their lives in total ignorance of any of those details, and whose "claims" to such appointments were based entirely on their political services in behalf of a party, a faction or an individual.

Sheet 4.—Dictation at 150 words per minute.

An act to provide for the acquisition of a site and for the erection of buildings thereon for stables, sheds and workshops, relating to the public interests in the city of New York.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The commissioners of the sinking fund of the city of New York, together with the commissioner of street improvements of the twenty-third and twenty-fourth wards, are hereby authorized and empowered to select and locate a site conveniently situated in the neighborhood of the municipal building in Crotona park, upon which to erect buildings sufficient to provide suitable accommodation for stables, sheds and workshops for the use of the commissioner of street improvements of the twenty-third and twenty-fourth wards. The site so selected shall be and hereby is set apart and appropriated for the purposes of the buildings by this act provided for.

Section 2. If there shall be any buildings upon the site so selected and located when title thereto is acquired by the mayor, aldermen and commonalty of the city of New York, as herein-after provided, the said commissioners of the sinking fund may direct the commissioner of street improvements of the twenty-third and twenty-fourth wards of said city to remove the same, either by contract or by the sale thereof or in any other way as in the opinion of the said commissioners of the sinking fund shall be for the best interests of the city. The proceeds derived from the sale of such buildings or of the material contained therein

shall be appropriated to the erection of the buildings by this act provided for.

Section 3. The said commissioners of the sinking fund, together with the commissioner of street improvements of the twenty-third and twenty-fourth wards, shall have power and are hereby authorized to agree to the purchase price of the lands and interest therein, selected and located for the erection of said buildings, or if they shall deem it best so to do, the said commissioners of the sinking fund, together with the commissioner of street improvements of the twenty-third and twenty-fourth wards, are hereby authorized to make application by the counsel to the corporation of said city upon a written request from the commissioners of the sinking fund, together with the commissioner of street improvements of the twenty-third and twenty-fourth wards, and within thirty days from the date of such request, to take the necessary means and proceedings to acquire title on behalf of the mayor, aldermen and commonalty of the city of New York, in and to all such real estate which shall be embraced within the lines of the site selected, and except as provided in this act, all provisions of law relating to the taking of private property in said city are hereby made applicable, so far as the same may be necessary, for the acquiring of any land, property, rights, terms, easements and privileges necessary to be acquired for the purpose of this act.

Sheet 5.—Arithmetic.

1. Add the following, placing the sum at the bottom:

\$1,487,346.21
1,832.75
687,342.98
18,219.66
67,498,267.94
86,892.43
8,432,987.27
375,864.25
<hr/>
<hr/>

2. Find the cost of 124 eggs at 18 cents per dozen; 3 barrels of sugar, each containing 304 pounds, at $4\frac{1}{2}$ cents per pound, and 7,500 pounds of coal at \$5.75 per ton. (Give work in full.)

3. Write in Roman notation 1901. Express in words: \$60,004,020.75, 65.0104, 348.70005.

4. A man lives 28 blocks from his work, and walks to and from his work each day. If the blocks average 110 yards each, how many miles will he walk in a month of 26 working days. (Give work in full.)

5. A stenographer and a clerk receive together \$2,100 per year. The clerk in three months earns as much as the stenographer in four months; what is the annual salary of each? (Give work in full.)

Sheet 6.—Exercise in Type-writing.

(Mark given for speed and accuracy.)

DIRECTIONS.—Make a typewritten copy of the following table:

ANNUAL REPORT OF THE COMPTROLLER.

I. *Insurance Companies*—(Concluded).

NAME OF COMPANY.	TAX BASED ON		Total.
	Capital.	Premiums.	
Royal.....		\$4,202 55	\$4,202 55
Ruiger Fire.....		128 85	128 85
Scottish Union and National.....		1,798 92	1,798 92
Sea.....		931 56	931 56
Security Fire, Lloyds.....		120 28	120 28
Standard Life and Accident.....		793 04	793 04
Standard Marine, Limited.....		1,430 49	1,430 49
Star Fire, Lloyds.....		35 56	35 56
Stuyvesant.....		383 46	383 46
Subscribers' United States, Lloyds.....		4,058 11	4,058 11
Suffolk County Mutual.....		34 91	34 91
Sun Fire Insurance Office.....		2,023 74	2,023 74
Switzerland, Marine.....		926 99	926 99
Thames and Mersey Marine.....		1,317 90	1,317 90
Title Guarantee and Trust.....	\$3,000 00	369 37	3,369 37
Trade Fire, Lloyds.....		601 64	601 64
Transatlantic Fire.....		159 85	159 85
Union Assurance Society of London.....		683 39	683 39
Union Fire.....		94 19	94 19
Union Marine.....		433 52	433 52
United States Casualty.....		128 65	128 65
United States Fire.....		604 64	604 64
United States Guarantee.....	375 00	135 88	510 88
United States Steamship Builders and Underwriters.....	15 75	.....	15 75
United Underwriters' Co.....		82 55	82 55
Waldorf Fire, Lloyds.....		39 51	39 51
Washington, Lloyds.....		327 10	327 10
Westchester Fire.....		1,327 02	1,327 02
Western Assurance.....		1,512 48	1,512 48
Williamsburgh City Fire.....		1,120 76	1,120 76
Total.....	\$15,661 45	\$132,588 04	\$147,649 49

Sheet 7.—Letter-writing and Handwriting.

Directions.— Write a letter of at least 100 words to the Governor upon the industries of this State. Handwriting, errors in form and address, spelling, punctuation, capitals, syntax and style will be considered. Sign your desk number.

EXAMINATION FOR STENOGRAPHERS.

Held at Buffalo, Syracuse and Plattsburgh, April 10 and 16, 1897.

Sheet 1.—Spelling.

- | | |
|------------------|------------------|
| 1. experience | 26. generally |
| 2. diligent | 27. liquor |
| 3. recompense | 28. terminate |
| 4. conveyance | 29. license |
| 5. dissension | 30. warrant |
| 6. filial | 31. Poughkeepsie |
| 7. recommend | 32. appropriate |
| 8. contention | 33. faithful |
| 9. difference | 34. premises |
| 10. allowance | 35. enumerate |
| 11. reference | 36. equalize |
| 12. military | 37. sufficient |
| 13. prior | 38. similar |
| 14. language | 39. ballot |
| 15. separate | 40. Rensselaer |
| 16. rarity | 41. census |
| 17. amplify | 42. auditor |
| 18. casual | 43. annually |
| 19. Philadelphia | 44. voluntary |
| 20. rarefy | 45. continuance |
| 21. commission | 46. verbally |
| 22. secretary | 47. forfeiture |
| 23. abolition | 48. condolence |
| 24. traffic | 49. preceding |
| 25. surrender | 50. acknowledge |

Sheet 2.—Dictation at 90 words per minute.

Albany, April 3, 1897.

The Honorable John Jay,

President New York State Civil | Service Commission,

Albany, N. Y.

Sir: I am in receipt of your favor of the | tenth instant, touching the establishment of a uniform standard of qualification, as a condition precedent | to the granting of certificates to teach in the public schools of the State. You | are correctly informed of my purposes in the matter. In my annual report to the | Legislature, I shall request that the present system of issuing certificates to teachers be stopped | , and that this department be authorized to establish a uniform system of examinations and to | permit only such candidates as come up to the standard which it shall establish, to | teach in the public schools. The minor details of the contemplated plan are not fully | determined upon, but generally it is proposed to hold examinations simultaneously in each county of | the State, upon question papers prepared by this department, under the supervision of the city | superintendents and school commissioners in each county. It is proposed to authorize the examiners to | hold any examination which they may see fit, either oral or written, outside of the | question papers prepared by us for the purpose of testing the moral qualities or practical | capabilities of the candidates, and to reject any candidates whom they may deem unfit for | teachers. At the conclusion of the examination, the examiners will send to the department the | names of the candidates whom they will recommend for certificates, together with the question papers | of such candidates, and if such papers shall show proper intellectual qualifications, the department will | issue to them certificates of various grades, conferring privileges according to the degree of proficiency | which their papers indicate. It is not proposed to revoke existing certificates, but to allow | them to run out as they will. It is proposed to place the standards low | at first and to raise them gradually, year after year, so as to produce better | teachers and at the same time, not do injustice to individuals and not cause embarrassment | to the service.

I know of no reason why you should refrain from speaking of | this matter in your annual report, and for any assistance which you can give me | in the direction indicated, you will have my most grateful appreciation.

I have the honor | to be,

Your obedient servant,

A. S. Draper,

Superintendent.

Sheet 3.—Dictation at 120 words per minute.

Min. The best evidence of the growth of the civil service idea in $\frac{1}{2}$ this State is found in the evident superior | intelligence and increasing number of those who enter the competitive exami- $\frac{1}{2}$ nations year after year. This year the number who entered | these examinations was 824, or nearly 50 per cent. greater $\frac{1}{2}$ than the number who entered during the | year 1893, which in turn exceeded the number of the preceding year by about the same percentage.

$\frac{3}{4}$ This | increase during the last year may to some extent be $\frac{1}{2}$ attributed to changes in the heads of some of the | departments, which created vacancies to be filled from the civil ser-
1 vice lists, but it is also due in part, I | have no doubt, to the growing familiarity on the part of the public with the nature $\frac{1}{2}$ of civil service examinations | and regulations. The deep-rooted prejudice, which has to a great extent blocked the prog- $\frac{1}{2}$ ress of the merit system, second | only to the desire for spoils in its pernicious influence, viz., that the examinations are $\frac{1}{2}$ designed to give preference to | those with purely scholastic accomplishments, to the detriment of those of general intelli- $\frac{3}{4}$ gence and business capacity, is slowly but surely | giving way as the various examinations are becoming familiar to the pub- $\frac{1}{2}$ lic. The statement may be made, subject only to | very limited exceptions, that any one with special qualifications for the civil service will almost invariably secure in these examina-
2 tions | the preference to which he is entitled.

For example, this year in the examination for general clerk- $\frac{1}{2}$ ships, which is assailed | more than any other by this criticism, $\frac{1}{2}$ the person who succeeded in getting at the top of the list in |

Min. a competition of 188 applicants, had been filling a clerical
 1 position in one of the State departments | for some time. Last
 year this distinction was achieved by a veteran, who for years
 2 had been engaged in business | pursuits.

In both of the examinations were many just from school,
 3 and not a few graduates of business schools and | colleges.
 Other examinations might be instanced which show the same
 results.

3 Appointing officers are coming to recognize this from their |
 favorable experience with persons selected from the eligible
 lists, and the only criticism to be heard from that source, gen-
 4 erally, | is relative to the veterans, to whom the law gives a
 1 preference to which their ability does not entitle them. |

Surrounded by such evidence the merit system speaks a more
 intelligent and powerful argument for its existence than can
 2 be | expressed in rhetorical flourishes or pedantic essays.

Sheet 4.—Dictation at 150 words per minute.

Min.

The Supervisory Board feels that this report would hardly
 be complete, without some explanatory remarks on the
 1 general working of the Civil Service Law, and | the regula-
 tions framed under it, as regards the two departments con-
 cerning which the inquiry is made. The board have
 2 introduced three changes into the examinations | since the
 law took effect in August last. The first is the competitive
 system, which the law makes imperative; the second is the
 3 physical test, | and the third is the general intelligence test.
 In putting the competitive system in force the board have
 4 assumed that the Legislature recognized the failure | or in-
 adequacy of non-competitive or pass examinations as tests of
 fitness for the public service, or as means of excluding favor-
 5 itism or political influence | in the bestowal of offices. The
 severity of a pass examination must always depend on the
 1 discretion of the examiners, and no difficulty has ever | been
 found anywhere in making the standard low enough for
 anybody whose success was desired by the appointing
 2 power. The pass examination prescribed by the | act of
 Congress of 1853 for admission to certain branches of the

Min. Federal service has always been a somewhat notorious
 1/2 mockery. Nobody, we | believe, has been rejected under it
 whom the appointing officer wished, for any reason, to
 succeed. The competitive system, when fairly carried out,
 1/2 throws open | the public service to all, by giving every one
 who presents himself for examination a legal right to have
 2/3 his qualifications compared with those of | every other can-
 didate, and a legal right to the place in case they prove
 superior to those of other candidates. In other words, it
 5/8 deprives | the examiner of the power of arbitrary selection,
 and converts him into a judicial officer charged with the
 2 duty of finding out which of all | those who desire the office
 is best fitted to fill it.

The board have also assumed that it was the intention of
 1/8 the Legislature in | prescribing the competitive system to
 secure for the city the best service attainable; that is, the
 1/3 best of such candidates as presented themselves to fill |
 vacancies. The duties of a policeman or fireman require a
 certain amount of intelligence, combined with bodily vigor,
 1/2 which a good many men possess. That | is to say, there are
 a good many men who are intelligent enough and strong
 enough physically for the ordinary demands of these very
 2/3 important | services, but there are among these, various
 degrees both of intelligence and bodily strength or dexterity,
 5/8 and the board have acted on the theory that | the law intends
 that the city shall always secure for every vacancy the candi-
 date who possesses them in the highest degree, thus applying
 3 the principle | which governs every private employer of
 labor. No such employer contents himself with a man who
 1/4 is merely adequate to the usual requirements of the |
 situation, if for the same pay he can secure one who is in
 most respects better and is able, not only to meet these
 1/4 but | to meet extraordinary emergencies.

Sheet 5.—Arithmetic.

1. Add the following placing the sum at the bottom.

\$1,487,346.21

1,832.75

687,342.98

18,249.66

287.39

86,892.43

8,432,987.27

375,864.25

2. A workman earns 19 cents an hour and works 307 days, for which he receives \$466.64: how many hours does he work per day? (Give work in full.)

3. Write in Roman notation 1894. Express in words: 100,100.010, 4268.5, 185.851.

4. A man 6 feet high casts a shadow 42 inches long. Find the height of a flag staff which at the same time casts a shadow 28 feet long. (Give work in full.)

5. Hats that cost \$30 a dozen are retailed at \$3.50 apiece. Find the profit on 150 hats. (Give work in full.)

Sheet 6.—Exercise in type-writing.

Directions: Make a type-written copy of the following table:

SUMMARY OF RECEIPTS.

General Fund:

Revenue \$13,201,827 30

United States Deposit Fund:

Capital \$54,416 69

Revenue 135,207 83

189,624 52

Common School Fund:

Capital \$555,174 06

Revenue 256,579 27

811,753 33

Literature Fund:

Capital	\$25,000 00	
Revenue	131,514 25	
	<hr/>	\$156,514 25

College Land Scrip Fund:

Capital	\$674,967 00	
Revenue	103,970 87	
	<hr/>	778,937 87

Military Record Fund:

Revenue	3,056 39
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Cornell University Fund:

Revenue	21,276 13
---------------	-----------

Forest Preserve Fund:

Revenue	55,110 47
---------------	-----------

Total receipts for the year ending September 30, 1895 \$15,218,100 26

Sheet 7.—Letter-writing and Handwriting.

Directions: Write a letter containing not less than 125 words to the President of the New York Civil Service Commission, commenting on the work of the recent session of the Legislature. Sign your examination number, not your name.

In marking the letters, errors in form and address, spelling, punctuation, capitals, syntax and style will be considered, as well as excellence of matter.

EXAMINATION FOR DIRECTOR OF TRADES SCHOOLS, ELMIRA REFORMATORY.

Held April 15 and 16, 1897.

Sheet 1.

Write an autobiographical sketch covering the following details and any others that you deem important as bearing on the question of your fitness for the position applied for:

1. Your age, height and weight.
2. Your general education.
3. Your technical or trade education.

4. Your occupations since the educational period, and time spent in each.

5. Your health and physical condition.

6. Are you married?

7. The names of your recent employers or superiors and others who are familiar with your character and fitness for the employment you seek.

Sheet 2.—Algebra.

1. Solve $\begin{cases} x^2 + y^2 = a \\ x + y = b \end{cases}$

2. If the sum of two numbers is multiplied by the less, the product, is 40; if their difference is multiplied by the greater, the product is 12; find the numbers.

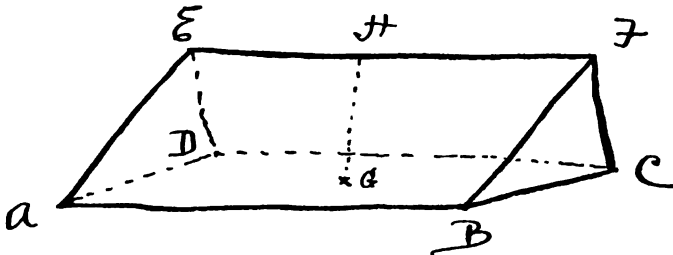
3. Expand $(4 - \frac{x}{4})^5$

4. Form the quadratic equation whose roots are $\frac{1}{2}(3 \pm \sqrt{2})$

5. What is a logarithm? Explain the difference between Briggs' logarithms and Napier's logarithms. What is a logarithmic series?

Sheet 3.—Geometry.

1. Given a square, inscribe a regular hexagon so that four of its vertices lie in the sides of the square. Find the ratio of the area of the hexagon to that of the square.



2. In the wedge (figure shown) A B C D is a rectangle 2 by 6 inches; E F is parallel to A B and is 5 inches long; the altitude G H perpendicular to the plane A C is 6 inches. Find the volume of the wedge.

3. Give the construction and explain fully the method of passing a circumference with a given radius through two given points.

4. Construct and explain fully the method of construction of an isosceles triangle having given the base and the radius of the inscribed circle.

5. Explain the geometrical method of finding the ratio of the diameter to the circumference of a circle.

Sheet 4.—Freehand Drawing.

1. Make a design for decorating an oak panel for a door.

Sheet 5.—Mechanical Drawing.

1. Make a complete drawing from valve model as assigned.

(Model submitted was a $\frac{3}{4}$ -inch globe valve.)

Sheet 6.

1. Describe the principal forms of screw threads for machine bolts. What are the chief considerations affecting the strength of bolts?

2. Discuss the various methods of making holes for rivets, the defects liable to occur and how avoided. What is meant by the efficiency of a riveted joint?

3. In power transmission by belts, what is the general effect of each of the following elements on power transmitted and durability?

(a) Initial tension.

(b) Coefficient of friction between belt and face of pulley.

(c) Arc of contact.

(d) Width of belt.

What means may be adopted for increasing the power transmitted without increasing speed or tension of the belts?

What limitations exist as to belt speed?

4. Under what conditions may wire rope, hemp rope and chains, respectively, be used to advantage for transmitting power?

5 A spur gear 30" in diameter transmits 15 H. P. at a uniform rate when the shaft runs at 75 revolutions per minute. Find the pressure between the teeth at the pitch circle, neglecting obliquity of pressure due to form of teeth.

In addition to the foregoing, a practical test in joinery was given; also a practical test in forging, sharpening and tempering a lathe tool.

These tests were given in the wood-working shop and the blacksmith and machine shop at the Reformatory.

After making the lathe-tool, its accuracy was tested by cutting threads on a cast-iron bolt.

EXAMINATION FOR GUARDS, CLINTON PRISON.

Held April 19, 1897.

Sheet 1.—Spelling.

- | | |
|---------------|----------------|
| 1. evening | 14. laid |
| 2. beneath | 15. halloa |
| 3. flaming | 16. English |
| 4. lingered | 17. different |
| 5. heights | 18. spare |
| 6. marble | 19. strength |
| 7. people | 20. reputation |
| 8. delighting | 21. peasants |
| 9. blazing | 22. galleries |
| 10. carriages | 23. bathing |
| 11. women | 24. pleasure |
| 12. laughing | 25. really |
| 13. gaze | |

Sheet 2.—Dictation.

It may be interesting to note here that floods are of two kinds, caused by differences in the nature of the countries through which rivers flow. Rapidly flowing rivers, with a rapid fall, rise quickly

after heavy rains, which cause a high but rapidly subsiding flood. On the other hand, rivers that flow gently rise slowly, and never reach the height of torrential rivers, as they are called. Their floods, however, fall slowly, and linger on the land. For this reason, among others, the long and lower floods are the more injurious.

River floods, as people along the Thames know, are the product of rainfall. They rarely result from a great down-pour at one time, but from a series of moderate rainstorms, which gradually fill the river channels. Consequently, when rain has been frequent, the floods are looked for, and, when necessity demands, provision is made against disastrous effects. Often, of course, the effect is beneficial. The Nile owes its supplies wholly to the copious rains of the countries wherein it rises, and during the flood a great portion of the Delta and of the Valley of Egypt is inundated.

Sheet 3.—Verbal Orders.

1. Go to the physician's office and get his daily report and also the special report called for by the Superintendent's letter of January 27th and bring them to me.

2. During Martin's absence you will take charge of his company number twelve. After his return get your dinner and report to the sergeant of the guard at one o'clock.

3. Bring from the south hall John O'Brien and Patrick Martin and from the boiler room Henry Jones to my office.

Sheet 4.—Arithmetic.

N. B.—In solving the arithmetical problems the entire process must be given in the space indicated on this paper. A mere answer, without such process, will not receive a maximum mark, even if correct. Do not sign your name.

1. Add the following: 109273, 84364, 5007, 98, 43152.

2. A died and left to one son \$5,650, to another \$9,600, and to another \$7,575. How much did he leave to all?

3. In the county of C there are 14,117 votes registered, and 10,486 votes cast. How many of the registered votes were not cast?

4. What is the difference between 946329 and 1413784?
 5. In an orchard there are 27 rows of apple trees with 19 trees in each row. How many trees are there in the orchard?
 6. Multiply 98 by 7.
 7. Divide 984 by 8.
 8. If you distribute \$15,000 equally among 20 men how much will each receive?
 9. Write in words 1,700,409.
 10. Write in figures one hundred and seven thousand and fifty.
-

EXAMINATION FOR GUARDS, AUBURN PRISON.

Held May 25, 1897.

Sheet 1.—Spelling.

- | | |
|---------------|---------------|
| 1. prisoner | 14. careful |
| 2. sheriff | 15. Saturday |
| 3. arrest | 16. uniform |
| 4. machine | 17. coal |
| 5. cell | 18. water |
| 6. warden | 19. candle |
| 7. officer | 20. gravel |
| 8. patrol | 21. Rochester |
| 9. blacksmith | 22. stony |
| 10. attempt | 23. special |
| 11. watch | 24. engine |
| 12. weapon | 25. Buffalo |
| 13. respect | |

Sheet 2.—Dictation.

As your honorable body will have to deal with some questions which will vitally affect the inmates of the prisons, the superintendent feels that some clear information should be given to you respecting the prisoners. They are in charge of the State, condemned to labor. What can the State do for them; what ought it to do for them? The great factor in solving this problem, or

in seeking to solve it, in a practical manner, is the quality, or the capacity of the prisoners. Some facts are indisputable.

The majority of the prisoners are young men. Of the 3,506 prisoners in the prisons on September 30th, there were 2,170 under 31 years of age. Many were between 16 and 21 years old. These ages are not exceptional; the fact is shown every year that the prisoners are comparatively young.

Sheet 3.—Verbal Orders.

1. Your post to-day from 8 o'clock A. M. to 1 o'clock P. M. will be in the printing department. See that no visitors are admitted unless accompanied by an officer. When relieved, report at the office.

2. Go to the warden's office and tell him that the overseer in the shoe shop is very sick. Ask him to send the doctor there at once and return to your post.

3. You may take the post at the South Gate. Be careful not to open the gate unless all the convicts are in the shops as usual. Admit only one person with each team unless otherwise directed by the Warden or Principal Keeper.

Sheet 5.—Arithmetic.

1. At the general election in 1888, the vote cast for Governor in Albany county was as follows: Hill, thirteen thousand six hundred and forty; Miller, nine thousand nine hundred and thirteen; Jones, seventy-eight. How many votes were cast?

2. A man purchased a farm for \$12,850. He sold it for \$16,975. What was his profit?

3. What is the cost of 4,895 bushels of wheat, at 68 cents per bushel?

4. A man left an estate valued at \$64,864 to be divided among 8 children. How much will each receive?

**EXAMINATION FOR DIRECTOR OF SCHOOLS, ELMIRA
REFORMATORY.**

Held June 12, 1897.

Sheet 1.—Mathematics.

1. Define involution, power, dividend, ratio, geometric series.
2. What will it cost to dig a well 4 feet in diameter and 30 feet deep at \$4.25 per cubic yard?
3. Reduce $\frac{7}{12}$ and $\frac{5}{18}$ to fractions whose common denominator is 36 and give a full analysis of each step of the process.
4. The difference between the incomes derived from investing a certain sum in 4% stock at 112 $\frac{1}{2}$ and in 2 $\frac{1}{2}$ % stock at 75, is \$84. Find the sum invested.
5. A square field contains 84 acres. Find the length of a diagonal path connecting the opposite corners of the field.
6. Define coefficient, exponent, imaginary quantity, surd.
7. Simplify
$$\frac{(x^2 - y^2)(2x^2 - 2xy)}{4(x - y)^2 \div \frac{xy}{x + y}}$$
8. Solve
$$\left\{ \begin{array}{l} \frac{ax}{b} + \frac{2by}{a} = \frac{1}{b} + \frac{2}{a} \\ 2ax - 3by = 1 \end{array} \right\}$$
9. Find the least value which the expression $x^2 + 6x + 5$ may have for a real value of x . For what value of x has the expression the least value?
10. Solve the equations
$$\left\{ \begin{array}{l} x^2 + 2y^2 = 17 \\ 2x + y = 4 \end{array} \right\}$$

Sheet 2.—United States History.

1. Give a brief historical sketch of New York State since the settlement of the colony.
2. Give a brief sketch of the Southern Confederacy.
3. Give a brief biography of Abraham Lincoln.
4. Give an account of the extension of the territory of the United States since the adoption of the Constitution.
5. Outline the plan on which the Union was "reconstructed" after the Rebellion.
6. What is the "Monroe doctrine?" Under what circumstances was it first announced and in what recent case was it asserted?

Sheet 3.—Language.

1. Classify the following words as Latin, Greek or Saxon: Handsome, persuasion, cyclone, verb, octave, hope, alphabet, power, almost, orthodox.

2. Correct the following sentences and give the reason for each correction:

1. Learn him to do his work good.
2. There is a great difference between the dog and cat.
3. Perceiving his mistake, it was his immediate endeavor to put himself right.
4. We have done no more than it was our duty to have done.
5. Frank or I were going to attend to the matter.

3. Give a brief sketch of the development of the English language since Saxon times.

4. Develop the following topic sentence into a paragraph of about 100 words:

An educated body of citizens is necessary for the protection of the state.

5. Analyze by diagram or otherwise the following sentence:

How small a part of the world in which we truly live is represented by what speaks to us through the senses, when compared with that vast realm of the mind which is peopled by memory and imagination with such shining inhabitants!

Sheet 4.—History of Education and Methods.

1. Discuss briefly the characteristics of education among (a) the Greeks; (b) the Romans.

2. Give a brief sketch of the educational work of (a) Pythagoras; (b) Fenelon; (c) Froebel; (d) Spencer.

3. Compare the education of the 18th century with that of the 19th century.

4. How would you introduce a class of boys to the study of algebra? Outline the first week's work.

5. Outline a lesson in arithmetic: Topic, the first lesson in decimal fractions.

6. What method would you follow in order to keep fully in hand the work of the various school departments under your supervision?

7. How many pupils would you group together for class instruction? Explain your answer; giving reasons, etc.

8. What branches do you consider the most important for study by pupils of the sort found in this institution; explain fully.

Sheet 5.—Psychology and Pedagogy.

1. Define "concept." Distinguish between concept and percept. What is the analogy between concept and composite photograph?

2. Give an example of hypothesis. Why are hypotheses important in scientific research?

3. State the relation of psychology to pedagogy.

4. Define and give an illustration of syllogism.

5. What is meant by arousing and developing the mind? Show how this may be done by a lesson in geography.

6. Explain the two purposes of questions in the work of instruction. Describe the characteristics of a "stimulating question."

7. Define method in its most general form. Distinguish the inductive method from the deductive method. State some disadvantages of the deductive method.

8. What educational theories are now most influential? How may compulsory education be justified?

9. What is meant by correlation of studies? What defect in school work has led to its discussion? Mention the groups of closely correlated studies.

10. Name three essential qualities of a good question. What is meant by a leading question? Give an example.

EXAMINATIONS FOR REGENTS' EXAMINERS.

Held June 17 and 18, 1897.

Group 1.—English Language.

1. What constructions besides that of the subordinate clause may be used to express the ideas of cause, purpose, time? Illustrate and in each sentence given, write the idea expressed in the subordinate clause in two other grammatical forms.

2. Give the reason for the mood and tense of each verb-form in the following quotation:

The people now began to fear that the gods of Rome might intend to punish the city, and they thought the pit might be a sign of their anger. So they went to the priests to ask them what they ought to do. The high priest replied that the gods had sent the pit in anger at the citizens: "Even though you went on casting in earth for centuries," said he, "the pit would never be closed; it will always remain open, until the most precious thing in Rome is cast into it."

3. Parse the underlined words:

Hope springs eternal in the human breast.

Time turns torment, when man turns a fool.

I had as lief go as stay.

He simply asked her a question.

I ate my dinner cold.

The question was worth an answer.

Fast as shaft can fly.

* * * * *

Housing and saddle bloody red,

Lord Marmion's steed rushed by.

Men, women and children had fled—every one but the little cripple.

The night is too dark for us to travel.

I knew not how to excuse myself.

4. Give the syntax of clauses, infinitives, and participial phrases in the following:

"Nowhere does the inferior effectiveness of the intellectual compared with the artistic treatment of a subject come into greater prominence than in the last chapter of the book 'The Modern Hep! Hep! Hep!' (the rallying cry of the persecutors of the Jews by the crusaders). That George Eliot should feel tempted to defend her choice of a subject in *Daniel Deronda*, is only natural; but the striking thing is how far inferior is this defense, appealing to the intellect, when compared with exactly the same arguments as urged by the passionate rhetoric of Mordecai in the book itself." (Joseph Jacons in *Literary Studies*.)

Group 2.—English Literature.

(Including American, and Translations.)

1. Name the author of each of the following, write a brief abstract of one, and compare two of either group in regard to poetical qualities:

(a) Sohrab and Rustum.

The Prisoner of Chillon.

How they brought the good news from Ghent to Aix.

(b) The Cotter's Saturday night.

The hanging of the crane.

The intimations of immortality.

2. Name two novels by Walter Scott in which Queen Elizabeth and Mary, Queen of Scots, appear as characters. Compare Scott's representation of these women with your own idea of them as historical characters.

3. To what extent are Chaucer's writings original? What especial value have his writings to students of the English language and literature? Upon what did he model the *Canterbury Tales*? Who wrote the *Shepherd's Calendar*? Upon what was it modeled? What has been the influence of this author upon English literature?

4. Give an outline of *The Traveler*, stating particularly the conclusion reached by the author. Name the distinguished con-

temporaries of the author of *The Traveler*, especially men of letters.

5. What changes in literature and the criticism of literature were due to the influence of Wordsworth and Coleridge? State definitely what doctrines these men emphasized.

6. Write a short paper comparing Macbeth's attitude of mind toward the murder of Duncan, both before and after the deed, with that of Lady Macbeth.

7. Choose one of the following topics:

- (a) Compare Locksley Hall, and Locksley Hall sixty years after, so as to show the changes in the author's point of view.
- (b) What important elements of English life and thought between 1830 and 1850 are reflected in *In Memoriam*?

8. Name five authors, English or American, whom you think of first rank in qualities of style; give reasons for your judgment and mention the work, or works, of each which best represent his excellence.

9. Set forth in plain prose, free from allusions, the meaning of the following stanzas from the *Progress of Poesy*, and explain the relation of their content to the works of the authors to which they refer:

Far from the sun and summer-gale,
In thy green lap was Nature's Darling laid,
What time, where lucid Avon stray'd,
To him the mighty Mother did unveil
Her awful face: The dauntless Child
Stretch'd forth his little arms, and smil'd.
"This pencil take (she said), whose colours clear

Richly paint the vernal year:
Thine too, these golden keys immortal Boy;
This can unlock the gates of Joy;
Of Horror that and thrilling Fears,
Or ope the sacred source of sympathetic Tears."

Nor second He, that rode sublime
Upon the seraph-wings of Extasy,
The secrets of th' Abyss to spy,
He pass'd the flaming bounds of Place and Time:
The living Throne, the sapphire blaze,
Where Angels tremble, while they gaze,
He saw; but, blasted with excess of light,
Clos'd his eyes in endless night.
Behold, where Dryden's less presumptuous car
Wide o'er the fields of Glory bear
Two Coursers of ethereal race,
With necks in thunder cloath'd and long-resounding pace.

10. Which of the works in each group given below is more difficult for students of high school grade? Give your reasons for your opinion.

- (a) The Vision of Sir Launfal;
Marmion.
- (b) The House of The Seven Gables;
Silas Marner.
- (c) The American Scholar;
Conciliation with America.

Group 3.—German Language and Literature.

1. Translate into English:

- (a) Aber das gnädige Fräulein wollte von dieser Ausnutzung ihres geliebten Parkes eben so wenig wissen, wie der Vater, wenn auch vielleicht aus einem anderen Grunde. Es wurde nicht sowohl ihren Stolz, als ihren poetischen Sinn verletzt haben, wenn man die alten Eichen und Buchen, über deren Wipfel sie so oft voller Entzücken die weissen Sommerwolken hatte hinsegeln sehen, umgehauen und zur Erde gebracht hätte. Dass hier Alles so blieb, wie es nun einmal war, und keine andere Hand, als die linde allmächtige Hand der Natur ihr Waldheiligtum berührte—diese Gewissheit gehörte zu den Requisiten der poetischen Welt, in welcher sich die junge Dame um so lieber und um so freier bewegte, je weniger sie—wenigstens in den letzten Jahren—von der wirklichen Welt zu sehen und zu hören bekam.

(Roschen vom Hofe, Spielhagen.)

- (b) Egmont (im Begriff aufzufahren, nimmt sich zusammen, und spricht nach einer kleinen Pause gesetzt). Nicht jede Absicht ist offenbar, und manches Mannes Absicht ist zu missdeuten. Muss man doch auch von allen Seiten hören, es sei des Königs Absicht weniger, die Provinzen nach einförmigen und klaren Gesetzen zu regieren, die Majestät der Religion zu sichern und einen allgemeinen Frieden seinem Volke zu geben, als vielmehr sie unbedingt zu unterjochen, sie ihrer alten Rechte zu berauben, sich Meister von ihren Besitztümern zu machen, die schönen Rechte des Adels einzuschränken, um derentwillen der Edle allein ihm dienen, ihm Leib und Leben widmen mag. Die Religion, sagt man, sei nur ein prächtiger Teppich, hinter dem man jeden gefährlichen Anschlag nur desto leichter ausdenkt. Das Volk liegt auf den Knien, betet die heiligen gewirkten Zeichen an, und hinten lauscht der Vogelsteller, der sie berücken will.

(Egmont, Goethe.)

- (c) So bist du schon im Hafen, alter Mann?
 Ich nicht. Es treibt der ungeschwächte Mut
 Nich frisch und herrlich auf der Lebenswoege,
 Die Hoffnung nenn' ich meine Göttin noch,
 Ein Jüngling ist der Geist, und seh, ich mich,
Dir gegenüber, ja, so möcht' ich rühmend sagen,
 Dass über meinem braunen Scheitelhaar
 Die schnellen Jahre machtlos hingegangen.
 Wer nent das Glück noch falsch? Mir war es treu,
 Hob aus der Menschen Reihen mich heraus
 Mit Liebe, durch des Lebens Stufen mich
 Mit kraftvoll leichten Götterarmen tragend.

(Wallensteins Tod, Schiller.)

2. Translate into German: In all this time of doubt and fear one man was calm and hopeful—the great commander. Columbus knew well what the sailors were plotting, but he kept

steadily on his course. And his faith was soon to be rewarded. For now when the fleet had been out a month, real signs of land began to be seen.

3. Write original German sentences containing the following: separable verb, preposition governing the genitive, *auf* with the accusative, impersonal verb, superlative with *am*.

4. Rewrite the following sentences, changing the voice, not the tense, of the verbs and making the other necessary changes:

- (a) Rose hatte ihres Vaters Arm genommen.
- (b) Ich habe es mit wahrhaftem Schmerz bemerkt.
- (c) Abermals wird die Leiter angelegt.
- (d) Wenn ich von meinen Feinden gehasst würde, so würde ich sie nicht hassen.
- (e) Ich vergesse Niemand leicht, den ich einmal gesehen und gesprochen habe.

5. Translate the following sentences:

- (a) Man kann nicht dahinter kommen.
- (b) Das hat nichts zu sagen.
- (c) Es ist mir um so lieber.
- (d) Was halten Sie davon?
- (e) Das geht Sie nichts an.

6. Write in German a sketch, containing not less than one hundred words, of the life and character of Goethe.

Group 4.—French Language and Literature.

1. (a) What French works have you read? Where and under whom have you studied French? Do you speak French?

(b) What objects of instruction are most important in first year French? In second year French? What should the pupil who has been well taught know at the close of two years' study of French?

2-3. Make both a literal and a literary translation of the following passage. Comment upon the two from the instructor's point of view.

Qui n'a pas vu Avignon du temps des Papes, n'a rien vu. Pour la gaieté, la vie, l'animation, le train des fêtes, jamais une ville pareille. C'était du matin au soir processions, pèlerinages, les rues jonchées de fleurs, tapissées de hautes lices, des arrivages de cardinaux par le Rhône, bannières au vent, galères pavoisées, les soldats du Pape qui chantaient du latin sur les places, les crécelles des frères quêteurs; puis, du haut en bas des maisons qui se pressaient en bourdonnant autour du grand palais papal comme des abeilles autour de leur ruche, c'était encore le tictac des métiers à dentelles, le va-et-vient des navettes tissant l'or des chasubles, des petits marteaux des ciseleurs de burette, les tables d'harmonie qu'on ajustait chez les luthiers, les cantiques des ourdisseuses; par là-dessous le bruit des cloches, et toujours quelque tambourins qu'on entendait ronfler, là-bas, du côté du pont. Car chez vous, quand le peuple est content, il faut qu'il danse, il faut qu'il danse; et comme en ce temps-là les rues de la ville étaient trop étroites pour la farandole, fifres et tambourins se postaient sur le pont d'Avignon, au vent frais du Rhône, et jour et nuit l'on y dansait, l'on y dansait..... Ah! l'heureux temps! l'heureuse ville! Des hallebardes qui ne coupaient pas; des prisons d'État où l'on mettait le vin à rafraîchir. Jamais de disette, jamais de guerre! Voilà comment les Papes du Comtat savaient gouverner leur peuple; voilà pourquoi leur peuple les a tant regrettés!

4. Write in French:

A courageous man; a kind, good man.

That rope is thirty feet long.

The cat seems to think only of itself.

It is this man who is most faithful.

Whom do you want?

When one is in a country it is necessary to follow its customs.

5. Give the principal parts, including all participles, of the French verbs for *absolve*, *go*, *know*, *be necessary*, *will* (*be willing*).

6. Give twenty French words derived from Latin giving also the Latin word and its meaning; or,

Give as many idioms as you know for the use of any forms of *avoir, tenir, prendre*.

7. Write in French:

I could have won that victory if heaven had not willed to deprive me of the glory of it.

The inhabitants had abandoned the city before the enemy entered it.

Let him choose, if he will, France or Mexico.

Do not hope then any longer that any one will come to your aid.

Can it be denied that good morals are essential to the permanence of states?

Explain and illustrate the partitive construction:

When is the article used in French when it would not be used in English?

Give the different meanings, according to use, of *personne, rien, aucun, tout, tel, même, autre*.

9. Translate:

Amiel avait une habitude sans laquelle sa trace se serait probablement effacée assez vite dans les mémoires. Il confiait presque journellement au papier ses idées, ses agitations, ses plaintes. Là, comme dans un sanctuaire secret, il interrogeait sa conscience, se replaçait en face des énigmes de la vie, se retrempait dans la méditation du devoir et dans la contemplation de l'infini. Exercice dangereux en ce qu'il risque d'exaspérer les tourments d'un esprit déjà porté à se replier sur lui-même, mais exercice qui sert quelquefois aussi à rétablir l'équilibre dans une âme en la forçant de ramener les choses à leur just mesure. Il y a de l'apaisement dans une confession faite la plume à la main; nous nous séparons de notre infortune en livrant au papier les griefs que nous avons contre le sort et contre nous-mêmes. Amiel est resté fidèle à l'habitude dont je parle jusqu'aux derniers jours de sa vie, et il nous a laissé ainsi, avec la preuve d'un don supérieur à tout ce que nous avons soupçonné en lui, les ressources les plus précieuses pour l'histoire de sa pensée. Ce sera l'un des faits curieux de l'histoire littéraire que

la différence entre ce que l'on connaissait de notre ami et ce que l'on va savoir de lui. On l'avait cru stérile, et il est inépuisable; on lui avait reproché de perdre son temps à des jeux d'esprit, et l'on découvre chez lui une profondeur extraordinaire d'idées et de sentiments; on souffrait, dans sa manière d'écrire d'une sorte d'afféterie, et la forme ici devient large et parfois magnifique, mettant dans la philosophie tout ce que l'émotion personnelle peut lui communiquer d'éloquence. L'aisance et la force ont remplacé la recherche. (*Edmond Scherer.*)

10. Give as many uses of the infinitive as you can and write a short sentence in French to illustrate each.

11. What types of French literature were important in the 11th, 12th and 13th centuries? Describe the types you mention and name several works which are examples of each.

12. Give a brief account of the characteristics of two French novelists and one poet of the present century; or,

How does the criticism of Sainte-Beuve differ from that of earlier critics?

What do you understand by the Classical Drama in France? What were its limitations? Name three great dramatists of this school.

Group 5.—Latin Language and Literature.

1. Translate into English:

(a) Quod si haec vox, huius hortatu praeceptisque conformata non nullis aliquando saluti fuit, a quo id accepimus quo ceteris opitulari alios servare possemus, huic profecto ipsi, quantum est situm in nobis, et opem et salutem ferre debemus. Ac ne quis a nobis hoc ita dici forte miretur, quod alia quaedam in hoc facultas sit ingenii neque haec dicendi ratio aut disciplina, ne nos quidem huic uni studio penitus umquam dediti fuimus. Etenim omnes artes, quae ad humanitatem pertinent, habent quoddam commune vinculum et quasi cognatione quadam inter se continentur.—(*Cicero, Pro Archia.*)

- (b) Fas omne est, Cytherea, meis te fidere regnis,
Unde genus ducis. Merui quoque; saepe furores
Compressi et rabiem tantam caelique marisque.
Nec minor in terris, Xanthum Simoentaque testor,
Aeneae mihi cura tui. Cum Troia Achilles
Exanimata sequens inpingeret agmina muris,
Milia multa daret leto, gementque repleti
Amnes, nec reperire viam atque evolvere posset
In mare se Xanthus, Pelidae tunc ego forti
Congressum Aenean nec dis nec viribus aequis
Nube cava rapui, cuperem cum vertere ab imo
Structa meis manibus periurae moenia Troiae.

—(Virgil, *Aeneid*, Bk. 5.)

- (c) Quid enim est, per deos, optabilius sapientia, quid praestantius, quid homini melius, quid homine dignius? Hanc igitur qui expetunt philosophi nominantur, nec quidquam aliud est philosophia, si interpretari velis, praeter studium sapientiae. Sapientia autem est, ut veteribus philosophis definitum est, rerum divinarum et humanarum causarumque, quibus eae res continentur, scientia, cuius studium qui vituperat hand sane intellego quidnam sit quod laudandum putet.—(Cicero, *De Officiis*.)

2. Translate into Latin:

- (a) Let them see to it that they do not make this man their enemy.
(b) It is difficult to say what is the opinion of the people regarding it.
(c) He announced to his forces that they would set out for Rome on the 24th of September.
(d) Who in this assembly is so foolish as to believe it?
(e) Do not entrust the care of your affairs to him unless you have confidence in him.

3. Explain and illustrate the use of the Latin gerundive instead of the gerund with an object. Explain the use of the subjunctive mode in relative clauses.

4. Mention two poetic uses of the accusative; of the dative; of the infinitive. Give the constructions used with comparatives.

5. Write notes on the syntax of the underscored words in the following: Numquam igitur laudari satis digne philosophia poterit, cui qui pareat omne tempus aetatis sine molestia possit degere; Apud quem Laelium et Scipionem facimus admirantis, quod is tam facile senectutem ferat; Ceteri senes, Fabricii, Curii, Coruncanii, cum rem publicam consilio et auctoritate defendebant, nihil agebant? Tu velim a me animum parumper avertas; Propterea quasi cognomen iam habebat in senectute sapientis.

Group 6.—Greek Language and Literature.

Translate into English :

- (a) Xenophon, Anabasis, bk. 3, chap. 2 : 23, 24.
- (b) Homer, Iliad, bk. 2, 432-440.
- (c) Homer, Iliad, bk. 7, 86-101.

1. Give the Attic prose form for each of the following: *ἰδμεναι, ἔντο ὄρηθηεν, ἐσσεῖται εσσι ὄρεαι, ἀμμες, νῆας τέο, ὠκέα,*

2. Distinguish between pure final clauses and object clauses with *ὅπως*. State what construction is regularly used with each.

3. Write Greek sentences, not found on this paper, containing the following: conditional relative, participle expressing purpose, verbal adjective in *-τέος*, the negative adverb *μή*.

4. Mention three uses of *ἄν* with the subjunctive. Illustrate by examples not found on this paper.

5. Give an outline of the first book of Iliad. Sketch the character of Achilles as it is presented in the Iliad.

Group 7.—Mathematics.

1. By definition and example distinguish between: pure and applied mathematics; geometry and trigonometry; cosine and complement; denominate and determinate; sector and sextant.

2. If telegraph poles were erected along the railroads at intervals of 88 yards, show that the number passed by a train in three minutes expresses the number of miles an hour the train is going.

3. At what rate must a note payable fifteen months hence be discounted by a bank to produce five per cent. interest?

4. Twice A's money increased by B's is to B's money as three times B's is to twice B's diminished by A's; twice A's increased by one is to double A's increased by six as B's is to B's increased by two. Find two ratios of A's money to B's.

5. Simplify: (a) $\overline{x^2 + \frac{1}{x^2}} - 2 \div x - \frac{1}{x}$; (b) $[-a \pm a\sqrt{-3}]^2$

Find the L. C. M. of: $x^6 - y^6$; $x^4 + x^2y^2 + y^4$; $x^3 + y^3$; $x^2 + y^2$.

Find the simplest form of the equation whose roots are m^{2a} and n^{-3a} .

6. Prove that the area of a trapezoid is equal to the product of one of the legs and the distance from this leg to the middle point of the other leg.

7. Given two circles intersecting at the point A. To draw through A a secant B A C such that A B shall be to A C in a given ratio m : n.

8. Prove that $\sin(x + y) = \sin X \cos y + \cos X \sin y$:

(a) When X and Y are acute, and X + Y is acute;

(b) When X and Y are acute, but X + Y is obtuse.

9. Given two sides a and b and the included angle C; write the formulae for finding the remaining parts A, B and c for two methods of solution.

10. Outline an examination paper for an algebra class that is about to complete elementary algebra after forty weeks study of the subject in the tenth year of a graded school. The time allowed for the examination to be three hours. (In the outline indicate the number of questions, their subjects and their credits, but do not write the questions.)

Group 8.—Astronomy, Physics and Chemistry.

1. Define the following terms and indicate the science to which each appertains: Convection, halogen, penumbra, nascent, neap, hydrostatics, tribasic, antinodes, microcrith, equinoctial.

2. What is the harvest moon? Why is it so called? Why is it more noticeable in England than in New York? Explain the phenomenon by diagram showing equator, ecliptic and horizon.

3. (a) Briefly state the Nebular hypothesis and three facts in support of that theory. (b) Distinguish between meteors and comets and discuss their apparent relations.

4. Write two of Kepler's laws; two of Newton's, and Avogadro's, with an example or experiment to illustrate each.

5. Illustrate by diagram the working, and discuss the relative advantages and disadvantages of (a) the low pressure engine; (b) the high pressure engine.

6. Make a diagram of a three-tube spectroscope and explain its use. Give two principles of optics involved in its construction; two chemical tests within its province and two astronomical principles established by its use.

7. Make a drawing of a dynamo with an arc light in its circuit. By means of your diagram explain the principle of the dynamo, the purpose of the commutator, the purpose of a transformer, and the cause of light.

8. Briefly describe (a) Marsh's test; (b) the xantho-proteid test, (c) a flame test for K; (d) a borax bead test for Cu; (e) the spectrum test for Na. Write the principal reactions of the "Solvay process."

9. By definition and example distinguish between (a) allotropism and isomerism; (b) metamerism and polymerism; (c) alcohols and ethers; (d) fixed and essential oils; (e) ethylene and benzine.

10. What special preparation have you had for the position of Regents' examiner, (a) in scholarship; (b) revision of answer papers; (c) preparation of question papers?

Group 9.—Geography and Geology.

1. Describe and account for (a) the change of seasons in this latitude; (b) the distribution of volcanoes; (c) cyclones; (d) sunset tints; (e) atolls.

2. Draw a geological map of New York State, indicating thereon its principal (a) time periods; (b) rock series; (c) mineral deposits; (d) drainage systems.

3. By map and section of the Atlantic ocean describe (a) the course of its currents; (b) the shape of its bed.

4. Describe and illustrate by drawings (a) an artesian well; (b) a periodical spring; (c) a fluviatile lake; (d) a delta; (e) spring and neap tides.

5. Describe and account for (a) moraines; (b) two laws of glacier motion; (c) geysers; (d) dikes; (e) amygdaloids.

6. Distinguish between the following: (a) Minerals and ores; (b) silicates and calcites; (c) hematite and galenite; (d) shale and slate; (e) granite and gneiss.

7. Compare the Silurian with the Devonian age in respect to their (a) rocks; (b) plant life; (c) animal life; (d) mountain making.

8. Discuss the economic causes that have conspired to destroy iron mining in the State of New York.

9. (a) Describe two modern forms of kites and the relative value of each in height attained and weight lifted. (b) Give several prominent meteorologic facts established by recent experiments in kite flying.

10. Tell how the weather bureau was established and is maintained; how it receives, prepares and distributes information concerning the passage of a great storm.

Group 10.—Botany, Zoology, Physiology and Hygiene.

1. By definition and example distinguish between (a) monocotyls and dicotyls; (b) cryptogams and phaenogams; (c) angiosperms and gymnosperms; (d) indeterminate and determinate inflorescences, (e) monoecious and dioecious.

2. Briefly discuss the anatomy of a plant in the following particulars: how it obtains its food; how it propagates by laying and by spores; the essential parts of flowers; the forms and kinds of roots.

3. Make an analytical key to show the botanical family of each of the following: (a) buttercup; (b) dandelion; (c) strawberry; (d) sugar maple. Give the botanical name of each.

4. Define and illustrate (a) protozoa; (b) vermes; (c) crinoid; (d) hexapoda; (e) chelonian. Name the order to which the following belong: (a) cat; (b) hen; (c) rattlesnake; (d) man; (e) glow-worm.

5. Give the distinguishing characteristics of each of the following sub-classes and orders of aves: (a) saururae; (b) carinatae; (c) ratitae; (d) pygopodes; (e) steganopodes.

6. Describe the following organs and their functions: (a) gills, (b) cilia; (c) rennet; (d) mandibles; (e) marsupium.

7. Describe and illustrate by two examples (a) glands; (b) joints; (c) corpuscle; (d) humors; (e) membrane.

8. (a) Describe by means of a vertical and a front section the parts of the eye and give their functions. (b) Diagram a piece of apparatus based upon the principle of the human eye.

9. Trace the digestion of a piece of bread, butter and sugar from the mouth to the point of assimilation, naming the organs involved and giving their functions.

10. Why are the biologic sciences especially valuable as nature studies? Prepare a scheme for nature study to be used in connection with the reading classes of a graded school throughout the first eight years. Indicate the time to be devoted weekly and the subjects.

Group 11.—Economics.

1. Define wealth, capital, money, credit, wages.

2. Distinguish between price and value; which is subject to the greater fluctuations? Give reasons for your answer.

3. Mention three distinct methods of taxation; which do you regard as the most equitable method? Support your answer with arguments.

4. Is the wealth of a nation diminished by a great financial panic? Give reasons for your answer.

5. What would be the general effect upon business of an increase in the amount of circulating medium? Whom would it injure and whom would it aid? Explain.

6. Give arguments for and against government control of railroads, street car lines, gas plants and other lines of business, not open to general competition.

7. Explain the advantages and disadvantages resulting from a division of labor in modern manufacturing.

8. On what does the price of rent depend; (a) of town property; (b) of farm property; (c) which should bring the larger returns, money loaned at interest or money invested in farm property? (d) Why?

9. On what economic grounds does the State levy a general tax for the support of schools?

10. Distinguish between real and nominal wages; can there be a change in real wages without a corresponding change in nominal wages?

Group 12.—History of United States and New York, and Civics.

1. (a) Mention three forms of colonial government in this country, giving the names of two colonies under each form. (b) At what period during the 17th century did the greatest number of emigrants come to Massachusetts; to Virginia? Give explanatory reasons in each case.

2. Discuss separately two acts whereby England attempted to tax the American colonies, covering (a) the passage and purpose of the acts; (b) the manner in which each act was met by the colonists; (c) the repeal or modification of these acts. Explain the purpose of the armed resistance on the part of the colonists prior to July 4, 1776.

3. State the provisions of three great national measures that grew out of the slavery agitation in this country. Why did South Carolina secede?

4. What territory was included in the United States at the close of the Revolutionary War? State how each addition to our territory was acquired, giving approximate dates and mentioning the countries from which these additions were obtained.

5. Discuss the geographic position of New York State, as influencing (a) Indian inhabitants; (b) contests with the French; (c) the Revolutionary War; (d) the commerce of the United States.

6. Write biographic notes on ten men prominent in the affairs of New York State prior to the outbreak of the Civil War.

7. Sketch the history of higher education in the State of New York.

8. Define law; common law; statute law; constitution. Distinguish between civil rights and political rights.

9. Outline the judiciary system of the State of New York.

10. (a) When does the President perform a legislative act? (b) When does Congress perform an executive function? (c) What is an impeachment? (d) Explain the uses of a national census. (e) Defend the granting of patents and copyrights.

Group 13.—History of Greece and Rome.

1. Sketch briefly the contests for supremacy between Greece and Persia. Give your estimate of the result of these contests upon the world's history.

2. Sketch the Athens of the age of Pericles with special reference to (a) the form of government; (b) the status of citizenship; (c) the policy of colonization; (d) public works.

3. Contrast the states of Sparta and Athens. What were the causes of the Peloponnesian war? How long did the war continue and what were its results?

4. Discuss social life in Greece with reference to (a) education; (b) the position of women; (c) amusements; (d) slavery.

5. Give an account of the subjugation of Greece by Rome, noting causes, principal stages and results.

6. Compare Rome and Carthage before the first Punic war. How long did these wars continue? Describe the campaign of Hannibal and the origin of the "Fabian" policy.

7. Discuss the public land question and the reforms of the Gracchi.

8. Contrast the characters of Caesar and Pompey. What was the immediate cause of the civil war between these generals. State the result.

9. What is regarded as the "golden age" of Rome? Give reasons for your answer. What were the real causes of the decline and fall of the Roman Empire.

10. What was the influence of Greek culture upon Rome? What most important legacy has Rome left to modern civilization?

Group 14.—History of England and France.

1. Give a sketch of Alfred the Great touching upon (a) his descent and character; (b) his wars; (c) the terms of the treaty by which these wars were concluded; (d) his scholarship; (e) his naval successes.

2. Sketch the rise of the Norman power. State the policy of William the Conqueror as regards (a) the granting of estates in England; (b) his dealing with assassinations. (c) What was the Great Survey? (d) What the Great Meeting of 1086?

3. Sketch the rise of English commerce. Wherein was English commerce a cause of bringing on the Hundred Years War? What were the effects of this war upon the English people? Upon the people of France?

4. Carlyle in speaking of the use of gunpowder in war says "It made all men of the same height." Explain fully.

5. Sketch the reign of Elizabeth, giving special attention to (a) her position on the religious question; (b) the prosperity and growth of the nation during her reign; (c) learning and letters; (d) how the common people lived.

6. What English monarch was the first to advocate the doctrine of "The divine right of Kings?" What was the immediate cause of the revolution of 1688? Give a brief account of that revolution.

7. What was meant by "The third estate?" What French ruler was called the father of his people? Give a brief sketch of Catherine de Medici.

8. Sketch the war of the Spanish Succession with special reference to the following: (a) causes; (b) nations involved and commanders; (c) battles of this war; (d) what event terminated the war? (e) terms of settlement.

9. What is meant by the Code Napoleon and what has been its influence? What was the general and what the direct cause of the Franco-Prussian war?

10. Contrast the governments of France and England down to the time of Louis XVI. Show that a great revolution was the logical result in one country and not in the other.

Group 15.—Drawing.

(100 credits; each question, 10.)

These questions afford opportunity to show more or less knowledge, skill and imagination. Graphic answers are preferred to verbal. Any medium may be used, as pencil, water color, or clay. Every sketch should be in itself pictorial and decorative as well as representative; this may be attained by artistic handling and placing on the paper.

1. Draw in bold outline from memory or nature some flower and leaf form, and

2. Use this as material for architectural ornament to fill a tympanum four inches in diameter.

3. Draw a border in the Greek style introducing the Anthemion, and color, or indicate what was the historic coloring.

4. Make from memory or object a free-hand sketch for working drawings of a hand-wrench, such as is used for a bicycle, indicating dimensions; and

5. Make working drawings for three threads of the screw on a scale of 2 inches to 1 foot.

6. Make in a rectangle 9 inches by 4 inches, a perspective sketch in light and shade or color, of a lodge having a cylindrical tower with conical roof; the lodge having also a round-arched entrance to the grounds beyond.

7. Draw with instruments a rose window with quatre-foil tracery, four inches in diameter.

8. Which of the Greek orders has a column without a base? Which was most used by the Romans? What architectural style is suggested by the description of the lodge in No. 6? What method of roofing caused the development of Gothic architecture? What style of architecture is alive in France to-day? To what style is the rose window of No. 7 appropriate? If the body of a design is in salmon pink, what is the back-ground color if a complementary is used? What is a triglyph; an entasis; an ogee curve?

9. If a terra cotta moulding is to be made, can a metal framework be used? In what would you model it, and what would

be the shrinkage? In modeled ornament do you prefer to see tool or thumb marks? In what would you model a light scroll ornament for a key-escutcheon to be cast in brass?

10. Draw a chair as you see it. Put a cube in (mechanical) angular perspective at angle of 30 degrees and 60 degrees to the picture plane—showing construction.

EXAMINATION FOR GUARDS, SING SING PRISON.

Held June 22, 1897.

Sheet 1.—Spelling.

- | | |
|-------------|--------------|
| 1. prison | 14. weapon |
| 2. letter | 15. river |
| 3. convict | 16. warden |
| 4. Hudson | 17. keeper |
| 5. rifle | 18. expect |
| 6. guard | 19. scrubber |
| 7. escape | 20. platform |
| 8. clothing | 21. stairs |
| 9. cell | 22. preacher |
| 10. warrant | 23. simple |
| 11. cover | 24. commit |
| 12. supply | 25. offend |
| 13. soldier | |

Sheet 2.—Dictation.

In their intercourse among themselves the officers of the prison are at all times to treat each other with respect and courtesy; they are required to avoid all collisions and jealousies, and it is expected that they will not use as topics of conversation at any time the trials or incidents that occur in the performance of their several duties.

No officer or employe, whether at the prison or elsewhere, shall hold conversation with any person or persons not connected with the prison about the convicts, their management or treatment, except in generalities. For answer to particular inquiries or

information that may be desired, strangers and others must be referred to the agent and warden or principal keeper.

Sheet 3.—Verbal Orders.

1. Take this order to the head keeper, then tell the hostler to have the surrey ready for me at one thirty and not to let the black team go out this morning.

2. Your post to-day from 8 o'clock a. m. to 1 o'clock p. m. will be in the printing department. See that no visitors are admitted unless accompanied by an officer. When relieved, report at the office.

3. You will take this convict, John Flynn, to Syracuse as witness in court. You are responsible for his safe keeping and must yourself take him from jail to court in the morning and return him to jail at night. You must not leave him except in jail in the custody of the sheriff.

Sheet 4.—Arithmetic.

1. Write in figures the following: Thirty million, sixteen thousand, eight.

2. The number of prisoners confined at Sing Sing is twelve hundred and fifty-six, at Dannemora one thousand and eighty-nine, at Auburn fourteen hundred and ninety-nine; how many in all?

3. The total cost of the new Capitol is estimated at \$24,000,000. There has been already expended \$22,567,295. How much will be required to complete the building?

4. What is the total amount required to pay the salaries of members of Assembly, there being 150 members, the salary of each being \$1,500?

5. The President receives an annual salary of \$50,000. How much is this per month?

(An oral examination followed).

EXAMINATION FOR LIBRARY ASSISTANTS.

Held June 23, 1897.

1. State fully the rules you would use for cataloging the following classes of books:

Pseudonymous books.

Joint authors.

Author bibliography.

2. Revise and rewrite on catalog cards in your best cataloging hand the following entries, making in your usual hand any other cards needed so far as you can judge without seeing the books:

(Subject catalog).—Wagner, W; R: 1813–83

927.8 Wagner, [W; R:] 1813–83 & W 125

Liszt, Franz

Correspondence; translated into English by Francis Hueffer.

2v. O. Lond. 1888.

United States—Dept. of the Interior—Bureau of Education.

Report for 1889–90. 2v. O. Wash. 1890–91.

3. Accession on condensed accession sheets any two books used in this examination.

4. Shelf list five books from slips assigned.

5. Name the classification with which you are most familiar and classify by it any two of the following books, making any necessary subject references:

Temple. Covenanter, cavalier and puritan.

Raven. Rumburgh.

Humphreys. Private library.

Queensland. Statistics.

Barron. Old whaling days.

Greene. Corporation finance.

6. State five of the most important questions that should be answered by a loan system.

7. Indicate the entries for indexing fully the following paragraph from an essay on books and libraries:

"The opening of a free public library, then, is a most important event in the history of any town. A college training is an excellent thing; but, after all, the better part of every man's education is that which he gives himself, and it is for this that a good library should furnish the opportunity and the means. I have sometimes thought that our public schools undertook to teach too much, and that the older system, which taught merely the three R's, and taught them well, leaving natural selection to decide who should go farther, was the better. However this may be, all that is primarily needful in order to use a library is the ability to read. I say primarily, for there must also be the inclination, and, after that, some guidance in reading well. Formerly the duty of a librarian was considered too much that of a watch-dog, to keep people as much as possible away from the books, and to hand these over to his successor as little worn by use as he could. Librarians now, it is pleasant to see, have a different notion of their trust, and are in the habit of preparing, for the direction of the inexperienced, lists of such books as they think best worth reading. Cataloging has also, thanks in great measure to American librarians, become a science, and catalogues, ceasing to be labyrinths without a clew, are furnished with finger-posts at every turn. Subject catalogues again save the beginner a vast deal of time and trouble by supplying him for nothing with one at least of the results of thorough scholarship, the knowing where to look for what he wants. I do not mean by this that there is or can be any short cut to learning, but that there may be, and is, such a short cut to information that will make learning more easily accessible."

8. Name and compare three general histories of England.

9. Mention and characterize briefly one bibliography on each of the following subjects:

American history.

Art.

10. What authorities would you consult and what would be your basis of selection in making up a library of fifty volumes on "France in the seventeenth century" for an average village study club.

EXAMINATION FOR INSPECTORS, BOARD OF CHARITIES.

Held at Albany, Rochester, New York, June 26, 1897.

Sheet 1.—Spelling.

- | | |
|------------------|------------------|
| 1. influence | 26. charitable |
| 2. courageous | 27. warrant |
| 3. commission | 28. stupefy |
| 4. rarefy | 29. prejudice |
| 5. dutiable | 30. creditor |
| 6. recommend | 31. vogue |
| 7. eligible | 32. ninetieth |
| 8. gravity | 33. elegant |
| 9. investigation | 34. penitentiary |
| 10. eccentric | 35. serious |
| 11. skillful | 36. reticent |
| 12. dissension | 37. evidence |
| 13. personal | 38. sensible |
| 14. magazine | 39. diligence |
| 15. salary | 40. political |
| 16. rarity | 41. accuracy |
| 17. recompense | 42. Rochester |
| 18. Ontario | 43. hospital |
| 19. withhold | 44. defaulter |
| 20. Colorado | 45. remittance |
| 21. tyranny | 46. carriage |
| 22. movable | 47. Chicago |
| 23. concurrent | 48. heighten |
| 24. transient | 49. populous |
| 25. confession | 50. necessary |

Sheet 2.—Letter-writing and Handwriting.

Write a letter of at least 150 words addressed to the State Board of Charities, giving your views as to the necessity for State supervision over charitable institutions.

Sheet 3.—Arithmetic.

In solving the problems, all the work should be given or each step clearly indicated.

1. Subtract $\frac{11}{16}$ from $\frac{53}{4}$, reduce the result to a decimal and subtract .0076.

2. Multiply 7.6953 by 3.006 and divide the product by $\frac{5}{8}$.

3. What would be the cost of paving a hall 150 feet long by 50 feet wide, with marble slabs 12 inches by 9 inches, the price of the slabs being \$25 per dozen?

4. A and B together have \$98.64. If they buy sugar at 9 cents per lb., B can buy 98 pounds more than A. How much money has each?

5. A man bought a horse and sold it at a loss of 10 per cent.; if he had received \$45 more he would have gained $12\frac{1}{2}$ per cent. What was the cost of the horse?

6. Find the present worth of a note for \$3,528 drawn September 28, 1893, for 11 months and discounted November 6, 1893, at 5 per cent.

7. A man owning $\frac{5}{17}$ of a ship sold $\frac{5}{12}$ of his share for \$3,050. What was the value of the whole ship at this rate?

8. If the tax on a piece of property is \$186.30, the rate being \$13.80 per thousand, what is the value of the property?

9. If \$200 is the interest on \$750 for 5 years and 4 months, what is the rate per annum?

10. A merchant's price for certain goods was 60 per cent. more than cost. He allowed a customer a discount of $22\frac{1}{2}$ per cent. The customer's bill then amounted to \$310. How much profit did the merchant make on the sale?

Sheet 4.—Geography, Constitution and Government of New York.

1. Name one city in each of the following counties: Broome, Cayuga, Chautauqua, Erie, Jefferson, Monroe, Oneida, Ontario, Queens, St. Lawrence.

2. Name the rivers or bodies of water which form parts of the boundary of New York State.

3. Name in their order the counties of New York State bordering on Pennsylvania.

4. Name four cities of this State that would be located within a circle whose diameter is 20 miles.

5. Describe the formation of the State Legislature. Give the number of members, method of selection, term of office and salary in each branch.

6. What state officers are to be chosen and what are the qualifications of voters at the next general election?

7. Name the present (or last) incumbent of the following offices and tell how each is selected:

Secretary of State.

Speaker of Assembly.

President of Senate.

Superintendent of Public Instruction.

Commissioner of Agriculture.

8. How may the State Constitution be amended?

9. In what Assembly district do you reside? Name your Assemblyman, State Senator and Member of Congress, and the United States Senators from this State.

10. How is the power of the Legislature of the State limited? What body decides whether the Legislature has exceeded its powers or not?

EXAMINATION FOR JUNIOR PHYSICIANS (HOMEOPATHS).

Held June 26, 1897.

1. Give the minute anatomy of the stomach.

2. What muscles and important vessels and nerves are cut through in an amputation through the middle of the upper arm?

3. Give the gross anatomy of the peritoneum.

4. Describe the process of respiration and give the muscles used in ordinary and forced inspiration.

5. Describe the function of the spleen.

6. What is the function of the cerebellum?

7. Describe the methods for a quantitative estimation of albumen in urine and name the various kinds of albumen found in it.

8. How would you distinguish between morphine and quinine?

9. Write the chemical formulae of the following: Nitric acid; calomel; phosphoric acid.

10. What is meant by a mother tincture?
 11. Give the special centers of action of *Rhus Toxicodendron* and its therapeutic individuality.
 12. Give the pathogenesis of *Pulsatilla neg.*
 13. What are the therapeutic indications for *cuprum arsenicum*?
 14. What are the physical signs of (a) pericarditis; (b) pleurisy; (c) how would you differentiate between them?
 15. What is the choke disk and what does it indicate?
 16. Give the etiology and pathology of acute parenchymatous nephritis.
 17. Give the differential diagnosis and complications of scarlatina.
 18. Give the varieties of appendicitis; (b) differentiate it from the conditions with which it may be confounded; (c) give the technique of the operation for its relief.
 19. Contrast the conditions which would indicate nephrectomy and nephrotomy.
 20. What is the most common form of dislocation of the shoulder joint?
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EXAMINATION FOR ASSOCIATE IN COMPARATIVE NEUROLOGY.

Held at the Pathological Institute, New York City, July 24, 1897.

1. Compare the prosencephala (secondary fore-brains) of a selachian, a teleostome, an amphibian, a bird and a mammal.
2. What light is thrown by such a comparison upon the primitive functions of the prosencephalon as contrasted with its functions in mammalia?
3. How was the folded avian and mammalian cerebellum probably derived from the simpler reptilian cerebellum? What new parts are found in the mammalian cerebellum as compared with the cerebellum of a selachian or a teleost, and with what changes in the other parts of the nervous system are these additions correlated?
4. Compare briefly the nervous systems of *Amphioxus* and of a typical craniate.

5. Analyze and describe the fifth, seventh, eighth, ninth and tenth cranial nerves of either a selachian or a teleost.

6. Discuss the changes undergone by these nerves as we ascend in the vertebrate scale. What influence would you ascribe to habitat in causing these changes?

7. Name and locate the various structures found in the floor and roof of the thalamencephalon in a typical vertebrate brain.

8. Discuss the importance of comparative work in elucidating the nervous system of man, with any suggestions as to problems connected with the latter which should be handled from this standpoint.

EXAMINATION FOR CLERKS.

Held August 27, 1897.

Sheet 1.—Spelling.

- | | |
|-----------------|--------------------|
| 1. formulate | 21. correspondence |
| 2. unceasing | 22. annual |
| 3. vigorous | 23. concession |
| 4. favorite | 24. doubtful |
| 5. franchise | 25. diligent |
| 6. solely. | 26. salary |
| 7. February | 27. business |
| 8. treasury | 28. Illinois |
| 9. sufficient | 29. machinery |
| 10. disappoint | 30. corporation |
| 11. spurious | 31. discipline |
| 12. Louisiana | 32. loser |
| 13. cemetery | 33. committee |
| 14. communicate | 34. legislature |
| 15. habitual | 35. Wednesday |
| 16. criticism | 36. lineal |
| 17. casualty | 37. sloping |
| 18. compete | 38. parallel |
| 19. precious | 39. separate |
| 20. deliberate | 40. salable |

- | | |
|-----------------|---------------|
| 41. controlling | 46. usually |
| 42. auxiliary | 47. cashier |
| 43. competent | 48. exposure |
| 44. peculiar | 49. ninetieth |
| 45. judgment | 50. stupefy |

Sheet 2.—Dictation.

The exercise will be first read through entire for information and then dictated in short phrases. Do not attempt to write the exercise on the first reading, but listen carefully.

The large percentage of those examined under the rules who owe their education, and in great part their intellectual, moral and physical training in their early years to the common school, renders unnecessary further argument to show that both the dignity of the State and the requirements for its service, as well as the right of candidates for place under the competitive examination, demand that all education given by the State, or paid for by public moneys, shall afford to the pupils the best elementary education and training for the public service which education science in its steady progress may enable them to give.

Sheet 3.—Test in Addition.

TO THE EXAMINERS.

Before delivering these envelopes to the class, instruct it not to open them until directed to do so. Call special attention to the printed instructions on the envelopes, and give the class time to read the same carefully before giving signal to open them. See that each applicant stops adding and turns over the paper promptly at the expiration of seven minutes from the time the signal to open the envelopes was given. The papers should then be collected. As this exercise is intended to be a test of the candidate's ability to add rapidly, it is important that these instructions be strictly carried out.

TO THE CANDIDATES.

This envelope contains an exercise in addition. It is not to be opened until the signal to do so is given by one of the examiners. The exercise consists of columns of figures. Add as rapidly as

you can, commencing at the right. You will be allowed precisely seven minutes after the signal to open the envelopes has been given. At the signal to stop you must turn the paper over at once.

53,119	409,042 40	45,162	99,969 77	81,456 84	47,882	176,592
62,816	58,026 30	21,680	15,569 01	12,684 86	23,253	212,849
41 230	52,677 83	88,848	18,675 54	15,217 11	91,830	768,318
183,714	37,620 62	197,419	18,424 01	15,012 15	33,265	861,786
49,381	68,529 11	897,586	34,105 90	27,789 99	47,382	950,835
36,248	68,609 83	680,554	29,083 83	23,657 19	82,325	182,169
193 475	64,047 11	826,792	19,810 78	16,162 11	419,360	185,136
59,246	40,367 10	123,859	20,838 50	17,016 27	73,525	485,956
209,618	42,174 60	112,371	11,405 76	9,192 59	101,104	566,190
165,284	95,773 42	81,821	36,679 88	29,887 30	73,596	125,628
216,301	39,643 47	73,346	12,167 07	9,913 90	909,424	679,344
58,563	17,713 00	21,360	15,459 69	12,596 78	77,892	572,732

Sheet 4.—Letter-writing and Handwriting.

Write a letter containing not less than 125 words to the New York Civil Service Commission, making application for the position for which you are being examined, stating your experience and qualifications therefor. Sign your examination number, not your name.

In marking the letter, errors in form and address, spelling, punctuation, capitals, syntax and style will be considered.

Sheet 5.—Constitution and Government of New York and the United States.

1. If the Spanish ambassador should be assaulted in the streets of Washington, what court would have jurisdiction to try the case? Explain concerning the composition, election or appointment, and the term of office of such court.

2. Mention five constitutional powers of Congress.

3. Is a citizen of the United States necessarily a citizen of any particular State? Explain your answer.

4. Distinguish between murder and manslaughter; larceny and robbery. How is each punished?

5. In the purchase of real estate, what precautionary steps should be taken?

6. Mention one way in which the Constitution of New York may be amended.

7. Explain the composition and the duties of a grand jury.
8. What is necessary in order to impeach a public officer in the State of New York?
9. State the three functions of government and illustrate each in the government of a county.
10. How are contested elections decided in the case of legislative officers?

Sheet 6.—Arithmetic.

N. B.—In solving the problems the entire process must be given.

1. I bought a barrel of sugar containing 220 lbs. at $8\frac{1}{2}$ cents a pound. While selling, it dried away 1-10; how much did I gain or lose by selling it at $9\frac{1}{4}$ cents per pound?
2. A gentleman after spending $\frac{1}{3}$ of all his money, and $\frac{3}{4}$ of the remainder, had \$177.50 remaining; how much had he at first?
3. How much will it cost to make an excavation 40 ft. long, 30 ft. wide, and 9 ft. deep, at 32 cents per cubic yd.?
4. What will it cost to fill the excavation (question 3) with wheat at 80 cents per bushel? (2,150 cubic inches in 1 bushel.)
5. The cost of insuring a cargo for \$8,500 is \$63.75. What is the value of a cargo that cost \$375 to insure at the same rate?
6. What is the interest on a U. S. bond of \$1,000, bearing $3\frac{1}{2}$ per cent. interest, from May 1st to July 19th?
7. A lawyer collected 75 per cent. of an account of \$3,416, charging 5 per cent. commission. What amount should he pay over?
8. The cost of a new school house was \$3,800. What was the rate of the tax on \$100, the valuation of the district being \$325,000?
9. If, by selling tea at $47\frac{1}{2}$ cents per pound, I lose 5 per cent., at what price must I sell it to gain 15 per cent.?
10. For what amount must a note be given for 60 days to afford \$1,500 proceeds, if discounted by a bank at 6 per cent.

EXAMINATION FOR JUNIOR CLERKS.

Held August 27, 1897.

(Sheets 1 and 2, same as for clerks.)

Sheet 3.—Arithmetic and Algebra.

N. B.—All work must be shown in full.

1. $1\frac{1}{8}$ pounds of beef and $1\frac{3}{8}$ pounds of flour are allowed to a ration; how much will 617 rations cost, if the price of beef is $11\frac{1}{2}$ cents per pound and of flour $3\frac{1}{2}$ cents per pound?

2. How many feet of 2" plank would be required to make a cylindrical cistern, without a cover, 7 ft. in diameter and 8 ft. high?

3. A buys a bill of goods amounting to \$2,776.40 on the following terms, "4 months or less 5% cash," and borrows the money at 6% to pay the bill. How much does he gain or lose?

4. If 22 men can dig a ditch 4,210 ft. long, 5 ft. wide, and 3 ft. deep, in 35 days of 9 hours each, in how many days of 11 hours each will 252 men dig a ditch 2,100 ft. long, 3 ft. wide, and 2 ft. deep in soil three times as difficult digging?

5. A person sells 26 shares of $3\frac{1}{2}\%$ stock at 86 and loans the proceeds at 5%. By what amount did he increase or diminish his annual income?

6. Expand by the binomial formula $(x^3-2y)^5$ indicating all computations for finding coefficients.

7. Factor the following: a^2-2a+1 , $2x^4+2x^2y^2+2y^4$, x^2-1 .

8. Find four roots of $x^4+4x^2=32$, and form an equation from its negative roots.

9. The fore wheel of a wagon turns in a mile 132 times more than the hind wheel; but if the circumferences were each increased by 2 ft., it would turn only 8 times more. Find the circumference of each.

10. Find the 6th root of: $64+240x^2+60x^4+x^6-(192x+160x^3+12x^5)$.

(Sheets 4 and 5, same as clerks.)

Sheet 6.—English Language and Literature.

1. Analyze by diagram or otherwise the following sentence: Previous notice of examinations will be mailed to all persons who have made application in due form, with copies of all such general or special regulations as the Commission shall prescribe.

2. Correct errors in the following sentences and give reasons for such corrections: (a) These specimens belong to different genuses; (b) Six months interest was due on the note; (c) The children sung several hymnus; (d) Boys like you and he ought to be ashamed of yourselves; (e) He insisted that honesty was the best policy.

3. Distinguish between the words in each pair following: Choose, select; healthy, wholesome; suspect, inspect; slow, gradual; mar, disfigure.

4. Give a brief sketch of the life of one of the following: John Bunyan, Ralph Waldo Emerson, Sir Walter Scott.

5. Classify the following words as Latin, Greek or Saxon: Conjecture, petal, homely, geography, maiden, bicycle, paternal, physics, choice, possible.

6. Give the author of each of the following works and distinguish as either English or American: The Abbot; Freedom of the Will; Ramona; Arthur Pendennis; Prue and I; The History of the United Netherlands; Elsie Venner; Faerie Queene; Childe Harold; Bitter-Sweet.

7. Point out the errors and rewrite in correct form: When you was in Washington on the 4th of July 1876 did you ever hear the speeches in the park?

8. Give a brief sketch of one work by one of the following authors: Goldsmith, Irving, Lowell.

9. Write a compound complex sentence with the complex clause denoting time.

10. Develop one of the three following topic sentences into a paragraph of not less than seventy-five words:

- (a) City governments in America need reforming.
- (b) I shall never forget my first day at school.
- (c) Reading affords many pleasures.

EXAMINATION FOR LAW CLERKS.

Held August 27, 1897.

(Sheets 1 to 6, same as for clerks.)

Sheet 7.—Law.

1. Name the various branches of the Supreme Court and give in general the functions of each branch.

2. Describe the successive steps in a civil action from the issue of the summons to the execution of the judgment, including a trial by jury and an appeal.

3. What papers constitute the judgment-roll in an action on a promissory note tried by jury?

4. How is a judgment for money enforced? How is a judgment containing an injunction enforced?

5. Give a suitable form of oath to be administered to a witness on a trial.

6. How is the general calendar of cases prepared and of what does the day calendar consist?

7. In what cases and in what manner may a preference on the calendar be obtained?

8. What is meant by a case being "reserved generally?" What is meant by a case being marked "off the calendar?" What is meant by a case being "at issue?" What is meant by a case being "set for trial?"

9. What in general are the duties of a clerk in attendance (a) upon a trial term of the court; (b) at chambers?

10. Give a proper form for summons in a civil action in a court of record.

11. Give a proper form of acknowledgment.

12. Has the Supreme Court any jurisdiction over criminal cases? If any, what?

13. Has it any jurisdiction over wills, executors, infants, lunatics? If so, what?

14. Whence do the courts derive their jurisdiction?

15. Distinguish between a "court order" and a "judge's order," and prepare a sample caption and title of each.

16. What is a "note of issue?" Prepare a sample of one.
17. What are the following: "Order to show cause;" "interlocutory judgment;" "mandate;" "judgment-roll;" "return?"
18. How are jurymen selected at the time of trial? What is meant by "challenging a juror?"
19. What is meant by a "general denial?" What is meant by a "counter-claim?" What is meant by a "bill of particulars?" What is meant by "never indebted?" What is meant by "breach of contract?"
20. The defendant appeals from the judgment of the court. What will the clerk be called on to do, if anything?

EXAMINATION FOR THE POSITION OF BOOKKEEPER.

Held August 27, 1897.

(Sheets 1 to 6, same as for clerks.)

Sheet 7.—Bookkeeping.

Five credits will be allowed for each question.

1. Explain the use of each of the following books as used in double entry bookkeeping: (1) Journal; (2) cash book; (3) sales book; (4) invoice book.
2. What is the essential difference between single entry and double entry bookkeeping? What is the purpose of a trial balance?
3. Give a general rule for determining the debits and credits of a transaction in double entry.
4. Rule the form of journal, cash book and any other books that may be necessary for double entry bookkeeping and record in them the following transactions of Wm. H. Palmer: March 1, 1897. Began the wholesale dry goods business with cash \$15,000 and a store and lot worth \$17,000. C. C. Adams holds a mortgage of \$6,000 on the store and lot on which \$350 interest is accrued. Deposited in Commercial Bank \$15,000.
5. Received bills of merchandise as follows: From Baxter, King & Co., New York, invoice of dress goods, ribbons and laces,

\$7,500, subject to a discount of 5 per cent. for cash; from A. H. Barholm & Son, invoice of knit goods and sundries, \$5,875, terms 4 months, 2 per cent. 30 days; from Brenheisen & Co., invoice of flannels and suitings, \$10,460, terms half cash; half 4 months.

6. March 2. Sold Richards Dry Goods Co., invoice amounting to \$1,200, terms 30 days, 3 per cent. for cash. Paid by check the following bills: For fixtures and office furniture, \$1,575.50; for office books and stationery, \$45, less 10 per cent. for cash; premium on insurance policy, \$67.50.

7. Sold H. H. Warren & Co., invoice of \$827.50 and received their note at 30 days in payment. Sold G. C. Harding invoice amounting to \$2,120, terms half cash, half note at 60 days, with interest. Received of Richards Dry Goods Co., cash for invoice on the 2d inst., less the cash discount.

8. March 6. Paid bill for advertising by check, \$22.75, and drew from the business for personal use currency, \$200. Paid Baxter, King & Co., for invoice of March 1 by New York draft, less the cash discount. Bought the draft at Commercial Bank by check, exchange \$3.50. Sold C. W. Havens invoice of silk and woolen dress goods, \$1,500, terms cash in 10 days.

9. March 8. Received of G. C. Harding cash \$1,060, and note at 60 days with interest \$1,060, in full of account. Pay Brenheisen & Co., by check, for half of invoice of March 1st. Deposited in Commercial Bank \$1,800.

10. March 10. Sold H. H. Warren & Co., invoice of knit goods amounting to \$3,205 for cash, less 5 per cent. Received check on Cook County Bank, Chicago, in payment. Deposited in Commercial Bank the check on Cook County Bank, and the note of \$827.50 received from H. H. Warren & Co. The bank deducts $\frac{1}{16}$ per cent. collection and discount on the note at 6 per cent. per annum.

11. March 11. Paid in full, by check, the mortgage on the store and lot, \$6,000, and interest on same to date, \$360. Paid on salaries of clerks \$114.

12-13. Rule the form of ledger and post the foregoing transactions.

14-15. Make a trial balance. Assume that the merchandise on hand is worth \$11,975, the real estate \$18,000, the furniture and fixtures \$1,550, and the insurance policy \$65, and that there is due the bookkeeper and shipping clerk for salaries \$60.

16-17. Close the accounts necessary to make the books show the true loss or gain and present worth.

18. Write and receipt an invoice of goods sold H. H. Warren & Co., for cash, less 5 per cent.

19. Write the check and draft mentioned under date of March 6.

20. How would the net gain of a business be found if the books were kept in single entry form?

EXAMINATION FOR SPECIAL AGENT, DEPARTMENT OF EXCISE.

Held August 27, 1897.

(Sheets 1-6, same as for clerks.)

Sheet 7.—New York State Geography.

1. Name a city in each of the following counties: Chautauqua, Tompkins, Broome, Orange, Jefferson. Locate, by naming the county, each of the following places: Plattsburgh, Auburn, Lockport, Johnstown and Hudson.

2. Name in order, commencing at the west, the counties of New York State that border upon Pennsylvania.

3. Name the great lines of railroads that traverse the State of New York from east to west. Name railroads connecting the following points: Saratoga Springs and Plattsburgh; Auburn and Rochester; Buffalo and Salamanca; Utica and Watertown; Kingston and Newburgh.

4. Name the counties or the parts of counties incorporated under the name of Greater New York.

5. Name and locate four cities in the State of New York that have a population of less than 500,000 but more than 75,000; name and locate six cities that have a population of less than 50,000, but more than 10,000.

Sheet 8.—Liquor Tax Law.

1. How is the term "liquors" defined?
2. How is the term "association" defined?
3. What does "trafficking in liquors" mean?
4. Give the general duties of special agents.
5. What is the official liability of special agents under section 38?
6. What privileges are conferred by subdivision 1 of section 11?
7. What privileges under subdivision 2?
8. What privileges under subdivision 3?
9. What privileges under subdivision 4?
10. What privileges under subdivision 5?
11. What privileges under subdivision 6?
12. What restriction as to additional bars, etc., under subdivision 6?
13. How are certificates to be posted?
14. How is liquor traffic to be separated from certain other business—namely business?
15. Who are prohibited from liquor traffic under section 23?
16. What places are excluded from liquor traffic under section 24?
17. What are prohibited times for sale of liquor?
18. What is the prescribed distance from dwellings, churches, school houses, and what from fair grounds?
19. What persons are not allowed to serve liquors?
20. What prohibition as to blinds, screens, etc.?
21. What prohibition as to liquor sales under subdivision 4 of section 11?
22. What prohibition against soliciting or accepting orders to furnish liquors?
23. State the requirements for a "hotel" and what constitutes a "hotel guest."
24. What are the duties of special agents, under section 37, in relation to complaints and prosecutions, and what their powers as to investigations?

25. Formulate a complaint to your district attorney upon an imaginary violation of some section of the "Liquor Tax Law," with your verification in proper form, sworn before John Doe, notary public.

EXAMINATION FOR STATISTICIANS.

Held August 27, 1897.

(Sheets 1 to 6, same as for clerks.)

Sheet 7.—Labor Law.

1. When and for what purpose was the Bureau of Labor Statistics created?

2. By whom and for what period is the Commissioner of Labor Statistics appointed? When and to whom does the Commissioner of Labor Statistics report?

3. What powers does the Commissioner of Labor Statistics possess under the Labor Law?

4. What information is generally sought from organized labor bodies? What methods would you take to obtain statistics from such bodies?

5. What is a labor organization and for what purpose is it formed? Mention some of the principal labor organizations of the State of New York

6. Are you affiliated with any organized labor body? (If so state name and number of organization to which you belong.)

7. Upon what official devolves the duty of enforcing the law relative to convict-made goods?

8. When and how was contract labor abolished in the prisons of this State?

9. What are the requirements for a person or corporation to sell, or expose for sale, any convict-made goods?

10. What penalty is prescribed for persons failing to comply with requests made by the Commissioner of Labor Statistics?

Sheet 8.—Tabulation.

In the city of Buffalo there were seven married bakers having each two in the family; of these bakers one received five dollars, one nine dollars, three ten dollars, one eleven dollars and one twelve dollars per week. Twenty-three having each three in the family: one received nine dollars, five ten dollars, eight eleven dollars, six twelve dollars, two thirteen dollars and one fifteen dollars per week. Twenty-five having each four in the family: one received eight dollars, one eight and one-half dollars, one nine dollars, five ten dollars, two eleven dollars, six twelve dollars, six thirteen dollars, two fourteen dollars and one fifteen dollars per week. Twelve having each five in the family: one received eight and one-half dollars, two nine dollars, one ten dollars, one eleven dollars, one twelve dollars, five thirteen dollars and one fourteen dollars per week. Six having each six in the family: one received ten dollars, one eleven dollars, three twelve dollars and one fourteen dollars per week. One having seven in the family received thirteen dollars per week.

Exhibit the above statistics in tabular form, giving totals and also the average weekly amount available for support per family; the average weekly amount for support per person in each class of families; also the general average weekly amount for support per person.

EXAMINATION FOR DEPUTY FACTORY INSPECTOR.

Held August 27, 1897.

(Sheets 1 to 7, same as for special agents.)

Sheet 8.—Factory Law.

1. What officers are charged with the duty of enforcing the Factory Law? By whom is each appointed, and how?
2. State the law as to sanitation in manufacturing establishments.
3. What are the legal requirements as to ventilation and air space in work-rooms of manufacturing establishments?

4. Give the substance of the law regarding fire-escapes.
5. What are the provisions regarding stairways — elevators?
6. State the law regarding the employment of children.
7. Give the substance of the law regulating the hours of labor for women and children.
8. Can the manufacture of coats, vests, trousers, etc., be carried on in any rear building in the rear of a tenement or dwelling-house? If so, how?
9. What provision is made in the factory law for bringing its contents to the notice of employers and employees?
10. Who is authorized to take legal proceedings against persons for violating the provisions of the Factory Law and before what officers or courts may such proceedings be taken?

Sheet 9.—Factory Inspection.

1. State briefly the objects sought to be attained by the enactment of the Factory Inspection Law.
2. To what establishments does this law apply?
3. Explain in detail your method of inspecting a large high factory building, containing elevators and various kinds of wood-working machinery operated by steam power and where about 800 men, women and children are employed in the manufacture of cigar boxes from the rough cedar logs.
4. Under what circumstances can an inspector stop the use of a machine, and how? State a case in which you would do so.
5. How are accidents in factories reported, and what action is taken upon such reports?
6. What violations of law would you expect to find where the following articles were being manufactured: (a) Cigars and cigarettes; (b) cloaks, hats and caps; (c) paper boxes; (d) sash, doors, blinds and wagons; (e) bicycles and sewing machines.
7. Write a letter to the factory inspector in the form of a report of a case where manufacturing was being carried on in a tenement-house in violation of law.
8. Suppose the person violating the law should continue to do so. State fully what you would do.

9. Draw up affidavit charging John Doe with violation of the provision against unclean water-closets.

10. By whom and how is the Weekly Payment Law enforced?

**EXAMINATION FOR PRISON GUARDS, COURT ATTENDANTS,
MESSENGERS, ETC.**

Held August 27, 1898.

Sheet 1.—Spelling.

- | | |
|-------------|-------------|
| 1. prison | 14. escape |
| 2. excel | 15. eighth |
| 3. pursue | 16. thief |
| 4. swindle | 17. loaf |
| 5. malady | 18. rough |
| 6. hoping | 19. accuse |
| 7. shovel | 20. apron |
| 8. brief | 21. couple |
| 9. exceed | 22. soldier |
| 10. noisy | 23. scent |
| 11. servant | 24. cinders |
| 12. seize | 25. berth |
| 13. always | |

Sheet 2.—Dictation.

The exercise will be first read though entire for information and then dictated in short phrases. Do not attempt to write the exercise on the first reading, but listen carefully.

No person shall be eligible to the Legislature, who at the time of his election, is, or within one hundred days previous thereto has been, a member of Congress, a civil or military officer under the United States, or an officer under any city government. And if any person shall, after his election as a member of the Legislature, be elected to Congress, or appointed to any office, civil or military, under the government of the United States, or under any city government, his acceptance thereof shall vacate his seat.

Sheet 3.—Verbal Orders.

1. Go to the nearest plumber's and get a man to fix the water pipes on the first floor, then have the commissioner's room cleaned and ready to be occupied by to-morrow morning.

2. Go to the Attorney-General's office and find out if the affidavits have been drawn in the cases to be called this morning; tell the deputy that the lawyers on the opposing side will be here at 9 o'clock for a consultation.

3. Take your post at the south gate. Be careful not to open the gate unless all the men are in the shops as usual. Admit only one person with each team unless otherwise directed by the warden or principal keeper.

Sheet 4.—Arithmetic.

All the work must appear: give all operations (except mental ones) necessary to find results.

1. Write in figures the following: Forty-two million, ten thousand and fifty-four.

2. Write in words, 3000.6.

3. Find the sum of the following numbers: 382041, 71572, 146344, 37453, 341202.

4. There were 50017 post-offices in the United States in 1884, and 51253 in 1885. What was the increase during the year?

5. A certain building has 192 windows and each window contains 24 panes of glass. How many panes in all?

6. How many miles in 49164 rods, if there are 320 rods in one mile?

7. Find the sum of $\frac{2}{3}$ and $\frac{3}{4}$.

8. How much larger is $\frac{3}{4}$ than $\frac{2}{3}$?

9. If 75 head of cattle cost \$2550, what will one head cost?

10. If I sold 56 sheep at \$3.75 each, how much money did I receive?

Sheet 5.—Experience, etc.

1. State your age and the education you have received.

2. State the occupations you have followed since the educational period, with the length of time and salary or wages in each.

3. What is your present occupation, and what the reason for seeking employment in the State service?

4. What special experience or qualifications have you for the position you seek?

5. Describe the duties of such position as you understand or have observed them.

6. What branch of the State government makes the laws? Of what does this branch consist, how many members, how chosen, etc.?

7. Name five important county officers and state briefly the duties of each.

8. Suppose you should detect a man in the act of stealing from your house a watch valued at \$50; what steps would be necessary on your part to have him convicted and punished for the crime?

9. What is meant by a "citizen of New York State?" Who may vote at general elections in this State?

10. Suppose you should find floating in a stream the dead body of an unknown person; what would be your duty with regard to it?

11. How is the attendance of witnesses at court secured? Is a witness subject to any punishment for non-appearance? If so, what?

12. Under what circumstances is a person justified in using a fire-arm or other deadly weapon against another person?

13. Is a policeman or other officer so justified in cases when a private citizen would not be? If so, when?

14. State as near as you can the population of New York State; also the estimated population of Greater New York.

15. How many counties are there in this State? In what county is each of the following cities: Buffalo? Syracuse? Troy? Poughkeepsie? Brooklyn?

FIFTEENTH REPORT OF THE
EXAMINATION FOR MATRON.

Held August 27, 1897.

(Sheets 1 and 2 and 4 same as for Prison Guards, etc.)

(Sheet 3 same as for clerks.)

Sheet 5.

1. For a dormitory for 100 boys from 12 to 18 years of age, each having a single bed, what would be the necessary equipment of bedding and bed linen including necessary changes?

2. In such a dormitory what should be the frequency of change of the various articles of bedding? Give reasons.

3 What supervision must the matron, responsible for the housekeeping, exercise over the laundry? How would you know whether the bed linen was properly laundered?

4. Suggest treatment for an insane patient who refuses food.

5. Name some of the best known and most used disinfectants. Describe the methods of use and particular adaptability of each.

6. What should be the temperature of a living room? A sleeping room? Should the standard temperature be different for different classes of inmates or patients?

7. How would you treat a case of severe hemorrhage of the nose? What conditions other than violence are likely to produce such hemorrhage?

8. What different results are produced by broiling, frying and boiling of meats? Are any meats properly cooked by frying?

9. What articles of diet would you suggest for a person who is sick with the measles? What articles of diet are best suited for aged persons?

10. How would you know that a room needed ventilating and how should it be done?

EXAMINATION FOR TEACHERS.

Held August 27, 1897.

(Sheet 1 same as for clerks.)

Sheet 2.—Civil Government.

1. Explain what is meant by "congressman-at-large."
2. Name five county officers elected by the people.
3. What is the provision of the New York State Constitution regarding the taking of the census? What are the purposes of such census?
4. (a) State the place and date of the annual meeting of the Legislature. (b) How may an extra session of the Legislature be called?
5. Name two authorities by which the power of the State Legislature is restricted.
6. (a) What power has Congress over the Territories? (b) How may new States be admitted to the Union?
7. If a vacancy occurs in the office of United States senator when the Legislature is not in session, how is the vacancy filled and for how long?
8. State three qualifications of a voter in this State as to residence.
9. (a) What body in this State has the power of impeachment? (b) How is the court for trial of impeachment constituted in this State?
10. Name five State officials elected directly by the people, and state the term of office of each.

Sheet 3.—American History.

Each of the following questions has 10 credits assigned to it.

1. (a) Who commanded the expedition that discovered Florida? (b) To what nation did he belong? (c) What was the first permanent settlement in Florida?
2. (a) About how long were the Dutch in control of the colony of New York? (b) What section of the present State did they settle?

3. In what century did each of the following Indian wars occur: (a) King Philip's war; (b) The war of the Creeks; (c) Pontiac's war?

4. Explain the nature of the navigation acts.

5. (a) What kind of money did the Continental Congress issue during the Revolution? (b) What was the cause of its depreciation in value?

6. What concession was made to the slave interests by the Missouri compromise?

7. (a) What part of Mexico did General Scott invade during the Mexican war? (b) What was the special object of his expedition?

8. (a) What was the first State to pass an ordinance of secession at the opening of the Civil war? (b) Mention a slave State which did not secede.

9. Arrange the following events of the Civil war in the order of time: The capture of Vicksburg, Sherman's march to the sea, the proclamation of emancipation, the battle of Bull Run.

10. How was the four hundredth anniversary of the landing of Columbus celebrated in this country?

Sheet 4.—Methods and School Economy.

Each of the following questions has 10 credits assigned to it.

1. State two advantages of recesses.

2. What beneficial results are to be the objective point in presenting the subject of stimulants and narcotics?

3. What use of the globe may be made in teaching the correct conception of a map?

4. What apparatus is desirable in teaching the subject of geography?

5. Why should pupils commit rules of syntax to memory?

6. Name two special advantages that arise from the study of mental arithmetic.

7. In the first part of arithmetic, which should receive the more attention, the study of processes or the study of analysis? Give a reason for your answer.

8. Mention two ways in which spelling can be taught outside of the spelling class.

9. What means would you employ to encourage the pupil to read good literature?

10. Suggest some method for teaching tints in color study.

Sheet 5.—Arithmetic.

Each of the following questions has 10 credits assigned to it.

1. Define (a) notation; (b) area; (c) compound number; (d) complex fraction.

2. 3 yd. 2 ft. 8 in. is what fractional part of 5 rods.

3. From 1 subtract $\frac{1}{2} + \frac{1}{3} + \frac{1}{4}$, divide the remainder by $5\frac{1}{2} - 4\frac{7}{8}$, and find the difference between 1 and the quotient obtained.

4. A produce broker remits to a consignor as the net proceeds of a sale of corn, \$3,615.75, after deducting his commission of 5% and \$116.33 for freight and storage. Find the amount of the sale.

5. If \$450 at interest for 2 yrs. 8 mos. 10 days amounted to \$504.56 $\frac{1}{4}$, what was the rate of interest per annum?

6. Successive trade discounts of 25% and 16 $\frac{2}{3}$ % are equal to what single discount?

7. Divide 1,043 into three parts that shall be to one another as $\frac{8}{9} : \frac{2}{3} : \frac{1}{2}$.

8. Express in words (a) 1,206,400.0003; (b) $\frac{2^2}{3}\frac{1}{2}$; (c) $\frac{40}{2000}$; (d) .402; (e) MCDXLIV.

9. When it is 9:30 A. M. at Washington 77° 3' W., what time is it at Rome 12° 27' E.?

10. Find the cost of filling a bin 18 ft. by 5 ft. 4 in. by 5 ft. 6 in. with coal at \$5.25 per ton, assuming that one ton occupies 40 cubic ft. of space.

Sheet 6.—Geography.

Each of the following questions has 10 credits assigned to it:

1. Having given the width of the torrid zone, how may the width of the temperate zone be computed?

2. By what means does the heat of the Gulf of Mexico affect the climate of the north frigid zone?

3. Locate the following cities and state for what each is noted: (a) Rio Janeiro; (b) Belfast; (c) Paris; (d) Ottawa.

4. On what waters would a ship sail in going from the mouth of the Congo to the mouth of the Thames?

5. Locate the following and state for what each is noted:

(a) Vesuvius; (b) Mt. Marcy; (c) Bunker Hill.

6. Mention four land masses that enclose New York bay.

7. What waters are connected by (a) the Welland canal; (b) the Detroit river; (c) the Dardanelles?

8. Mention the chief commercial city of (a) Massachusetts; (b) Long Island; (c) Argentina; (d) Victoria; (e) Cuba.

9. Mention two important exports of (a) France; (b) Japan.

10. To what country does each of the following islands belong: (a) Sicily; (b) Java; (c) Jamaica?

Sheet 7.—Grammar.

1 When a young man has thoroughly comprehended the fact
2 that he knows nothing, and that, intrinsically, he is of but little
3 value, the next thing for him to learn is that the world cares
4 nothing for him;—that he is the subject of no man's overwhelm-
5 ing admiration and esteem; that he must take care of himself.

J. G. HOLLAND.

The first seven questions refer to the above selection.

Each of the following questions has 10 credits assigned to it:

1. Classify the following clauses: (a) Man has comprehended. (line 1); (b) he is of value (lines 2-3); (c) world cares (line 3); (d) he is subject (line 4); (e) he must take (line 5).

2. (a) Give the first two modifiers of fact (line 1). (b) Give two modifiers of subject (line 4).

3. Select (a) an infinitive; (b) a participle.

4. Select and classify all the words which connect clauses.

5. Select four adverbs which are not used as connectives, giving the number of the line in which each is found.

6. Give the syntax of (a) nothing (line 2); (b) subject (line 4); (c) esteem (line 5).

7. Classify as adjective or adverbial the following phrases: (a) of value (lines 2-3); (b) for him (line 3); (c) of admiration (lines 4-5); (d) of himself (line 5).

8. Give the third person singular to the verb come, in all the tenses of the indicative mood, naming the tenses.

9. (a) When does a collective noun in the form of the singular require a plural verb? (b) Illustrate.

10. (a) Write a short sentence containing a transitive verb in the active voice. (b) Rewrite the same, changing the verb to the passive voice.

Sheet 8.—Physiology and Hygiene.

Each of the following questions has 10 credits assigned to it:

1. What is the use of (a) the wax in the ear; (b) the hair in the nostrils; (c) the epiglottis?

2. What produces the movement of the food in the intestines?

3. Give two reasons why a person should habitually breathe through the nose rather than through the mouth.

4. Mention two kinds of blood corpuscles and state the functions of one of them.

5. Why is it necessary that there should be a much larger number of capillaries than of either arteries or veins?

6. When the temperature of the body is above 100° F. what change is noticeable in the rate of (a) the pulse; (b) the respiration?

7. (a) To what class of joints does the joint at the shoulder belong? (b) Describe its structural adaptation to use.

8. What is the function of (a) the portal vein; (b) the sub-maxillary glands; (c) the synovial membrane?

9. What name is applied to that part of the serous membrane which envelops (a) the heart; (b) the lungs; (c) the intestines?

10. (a) What causes the blood in the veins to flow onward? (b) What aids are provided to prevent it from flowing backward?

**EXAMINATION FOR RODMEN, LEVELERS AND ASSISTANT
ENGINEERS.**

Held August 27, 1897.

Sheet 1.—Questions as to Occupation, Education and Experience.

1. State in detail what has been your occupation; when and where you have followed it, and under whom. Answer precisely and fully, especially as to dates and places. If you have had more than one occupation, state fully as to each.

2. State what general education you received, giving dates and places.

3. If you have received any technical education, state when and where you received it, what was its general character, what, if any, course you completed, and what, if any, certificate or diploma you hold. Answer precisely and fully, especially as to dates and places.

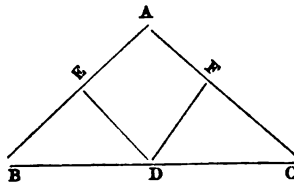
4. If you have had any practical experience in a position similar to the one for which you now apply, state precisely and in detail when, where, for how long and under whom you had it and what was the nature of the work you did. If you have held more than one such position name all of them, with the several particulars as above indicated.

Sheet 2.—Assistant Engineers.

1. A 60-pound weight rests on a smooth incline rising 2 feet vertically for every 5 feet along the plane. Find the force directed along the plane necessary to keep the weight from sliding, neglecting friction.

2. Compute the moment of inertia about one edge of a rectangular beam 12 inches high and 6 inches wide.

3. Find the diameter of a round wrought iron rod to carry with safety a strain of 50 tons, assuming that the ultimate tensile strength of wrought iron is 60,000 pounds per square inch.



4. In a roof truss of the type shown in the figure, $AB=AC=20$ feet $AD=12$ feet $AE=AF=10$ feet. If the uniformly distrib-

uted load on each rafter is 4,000 pounds, find the stresses in the different members, and show which members are in compression and which in tension.

5. Find the discharge through a straight clean iron pipe 50 feet long, 2 inches in diameter and under an initial head of 6 feet.

6. Compute the discharge in cubic feet per second of a pipe 18 inches in diameter, running half full when laid on a slope of 2 feet in 100 feet.

Sheet 3.—Assistant Engineers.

1. Discuss the question of rivets for a double cover butt joint.

2. How would you survey a watershed and ascertain its probable delivery?

3. When storage becomes necessary how would you determine the amount of water available each month, the total storage capacity to be given to the reservoir, and below what minimum depth the water should not be drawn down by the city's draught?

4. Assuming the design of a high surcharged retaining wall forming part of the approaches of a bridge, write a complete set of specifications for its foundation and for the wall itself, the wall to be of rubble masonry and the facing of first-class ashlar, laid in cement mortar, and the ground being ordinary soft earth.

5. What would be your ruling consideration in designing a system of water circulation in the pipes of a large city, and how would you proceed to obtain the most equitable delivery throughout the pipe system?

6. How would you proceed to estimate roughly the horse-power that can be obtained from a given small stream?

Sheet 2.—Rodman and Leveler.

1. A discharge of 1000 gallons per minute is how many cubic feet per second?

2. A map is drawn to a scale of half an inch to a mile. The map measures 1 ft. by $1\frac{1}{2}$ feet. How many acres are represented on it?

3. A girder of uniform cross-section 25 feet long and weighing 500 lbs is supported at both ends. It sustains a weight of 200 lbs. 7 feet from one end. Find the pressure on each support.

4. Show how to find, graphically, the angle between the plane of the base and a lateral face of a triangular pyramid whose base is an equilateral triangle 10 inches on a side and whose lateral faces are isosceles triangles with edges 20 inches long.

5. A uniform beam supported at both ends is 10 feet long and weighs 500 lbs. Find the bending moment at a point 2 feet from one end, and also the shearing force.

6. A block of copper 1 ft. 3 in. long, 8 in. wide, and $\frac{1}{2}$ in. thick is drawn into wire $\frac{1}{8}$ in. diameter; find the length of the wire.

7. Compute the horse power of the following engine: Diameter of piston 14 in.; stroke 2 feet; revolutions per minute, 100; average effective steam pressure 80 pounds per square inch.

8. A reservoir wall is 5 feet wide at the top and 20 feet high. The front batter is 1 in 8 and the rear 1 in 10. Is the wall stable if required to retain water level with the top? Weight of masonry 150 lbs. per cubic foot.

9. A lock gate is 12 feet wide and the difference of level of the water on the two sides of the gate is 8 feet. Find the pressure of the water on the gate.

10. A man walking along a straight road observes a tree in front and to the right whose direction makes an angle of $40^{\circ} 10'$ with the road, 100 feet further along the road he observes the angle to be $50^{\circ} 25'$, the tree still being in front and to the right. What is the perpendicular distance of the tree from the road?

Sheet 3.—Leveler.

1. Give all the adjustments of the engineer's transit.
2. Make a sketch of an ordinary circular vernier and explain its reading.
3. Discuss the selection and establishment of bench marks.
4. Given a canal trench of 40 feet bottom width, slope of banks $1\frac{1}{2}$ to 1, center depth of cut at one end of section 16 feet, transverse slope 8 to 1, center depth of other end 10 feet, transverse

slope level, length of section 50 feet, ends parallel; find by the prismoidal formula the volume to be excavated.

5. Describe in detail the method of cross-sectioning and setting slope stakes. Write the notes of some imaginary cross-sections on rough ground.

6. Write an imaginary set of complete level notes between two bench marks differing 47.20 feet in elevation and using two turning points. Sketch the profile.

7. Describe the Telford road-bed.

8. Explain the general principle involved in making stadia measurements.

Sheet 3.—Rodman.

1. Give all the adjustments of the Wye level.

2. Make a sketch of the scale of an ordinary level rod and vernier reading to $\frac{1}{1000}$ of a foot. Describe the reading of the vernier.

3. Discuss the selection and establishment of bench marks.

4. Given a canal trench of 40 feet bottom width, slope of banks $1\frac{1}{2}$ to 1, center depth of cut at one end of section 16 feet, transverse slope 8 to 1, center depth at other end 10 feet, transverse slope level, length of section 50 feet, ends parallel; find by the prismoidal formula the volume to be excavated.

5. Describe in detail the method of cross-sectioning and setting slope stakes. Write the notes of some imaginary cross-sections on rough ground.

6. Exhibit the various topographical signs commonly used in mapping (with the pen) to indicate the nature of the ground.

EXAMINATION FOR THE POSITION OF CHAINMAN.

Held August 27, 1897.

1. Add $1\frac{1}{2}$ feet, $2\frac{3}{4}$ feet, 3 feet 6 inches.
2. Add 1.5 feet, 2.75 feet, 3 feet.
3. Divide 31280 by 34 and multiply the result by 2705.
4. How many hundredths of a foot in 23 feet?

5. A man is employed for $2\frac{1}{2}$ days at \$2.75 per day, what amount should he receive?

6. From a distance of 1000 feet a distance of 200 feet 6 inches was measured off and the remainder divided into three equal parts; find the length of each part.

7. Find the number of cubic feet in a rectangular block whose dimensions are 18 inches by 16 inches by 13.5 inches.

8. Describe the process of measuring distances with a chain on hilly ground.

9. A city lot is one (Gunter's) chain broad by three chains and forty links long. What part of an acre of ground does it contain?

10. Have you ever had any experience as chainman or assistant in a survey? If so, describe in detail, giving time, place, and length of service.

EXAMINATION FOR THE POSITION OF MEDICAL INTERNE.

Held August 27, 1897.

Sheet 1.

1. Give the minute anatomy of the liver.
2. What arteries are found in the superior carotid triangle.
3. What muscles cause supination of the hand?
4. What are the functions of the pneumogastric nerves?
5. Locate, describe briefly and give the functions of the following glands: (a) Peyer's; (b) Cowper's; (c) Lieberkuhn's.
6. What are acids, salts, bases and homologous series?
7. What are ptomaines? By what symptoms would their presence be indicated when taken in toxic quantities?
8. What is meant by the serum treatment of disease? Mention a serum used therapeutically; give the indications for its use and the method of administration.
9. Describe the treatment of myxoedema.
10. Give the treatment of sycosis parasitica.

Sheet 2.

11. Give the symptoms and treatment of chorea.
 12. Give the principal causes of haematuria. How would you determine the source of blood?
 13. What is angina pectoris, and what are the pathological conditions which produce it?
 14. Give the dietetic treatment of diabetes mellitus; of chronic Bright's disease.
 15. Describe Colles' fracture and its treatment.
 16. What precautions would you take to keep an operation aseptic?
 17. What are the symptoms of dislocation of the lower jaw?
 18. How would you treat stricture of the urethra?
 19. How would you diagnosticate and manage a case of shoulder presentation?
 20. How would you induce premature labor, and when would it be indicated?
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EXAMINATION FOR THE POSITION OF JUNIOR PHYSICIAN.

Held August 27, 1897.

Sheet 1.

1. Give the circulation of the blood; describe the vessels at the base of the brain and the peculiarities of the vascular supply of the brain.
2. Describe the gross anatomy of the kidney.
3. Locate and describe the principal tracts of the spinal cord in the dorsal region.
4. What are the functions of the cerebellum?
5. Name the principal organs of excretion and describe their action.
6. Give the dose, physiological action and indications of quinine.
7. How is the system affected by an overdose of chloral hydrate?
8. Give the symptoms and treatment of poisoning by arsenic, acute and chronic.

9. Explain how water containing organic impurities becomes purified by running in a shallow stream.

10. What is meant by synthesis? Name three remedies produced by synthesis.

Sheet 2.

11. What are the causes of hemorrhage after labor, and what is the treatment?

12. Describe the treatment of puerperal eclampsia.

13. Give the diagnosis of extra-uterine pregnancy.

14. Give the pathology of leucocythaemia, and describe a method for the examination of the blood in this disease.

15. Give the physical signs of acute lobar pneumonia.

16. Give in full the treatment of a case of acute delirious mania.

17. What is paranoia?

18. Give the symptoms of each stage of general paralysis of the insane.

19. Describe the operation of tracheotomy.

20. What is the treatment of intra-cranial suppuration?

EXAMINATION FOR THE POSITION OF WOMAN PHYSICIAN.

Held August 27, 1897.

Sheet 1.

1. Describe the differences between the male and female sacrum.

2. What does the middle cerebral artery supply?

3. Give the anatomical relations of the right and left kidney.

4. Describe the development of the chorion.

5. Give the functions of the fifth pair of nerves.

6. What are the physiological uses of the blood?

7. Describe Marsh's test for arsenic.

8. Describe the symptoms and treatment of poisoning by strychnia.

9. Give the therapeutic indications for the use of iodide of potash.

10. Name the preparations of *nux vomica* and the dose of each preparation.

Sheet 2.

11. Write the following prescription in Latin without abbreviations: Take one-half a drachm of carbonate of ammonia; paregoric and syrup of squills of each two ounces, and make a mixture. Label: A teaspoonful three times a day.

12. Have you any criticism of the above prescription to offer?

13. How would you differentiate between acute catarrhal bronchitis and croupous pneumonia?

14. Give the pathology and symptoms of acute poliomyelitis anterior in children.

15. Give the treatment for chorea.

16. Give the pathology of acute parenchymatous nephritis (acute exudative nephritis).

17. How would you control the hemorrhage from an incised wound of the palm of the hand?

18. Enumerate the conditions which would cause hemorrhage from a non gravid uterus.

19. Give the varieties of salpingitis.

20. How would you treat fungoid degeneration of the endometrium?

21. What are the symptoms of puerperal mastitis?

**EXAMINATION FOR THE POSITION OF FIRST ASSISTANT
PHYSICIAN.**

Held August 27, 1897.

Sheet 1.

1. Describe the circle of Willis.

2. Describe fully the symptoms that would follow embolism of the left middle cerebral artery.

3. Describe the physiological action on the circulation, of nitroglycerin, digitalis and aconite.

4. Describe the diazo reaction (Ehrlich's test) and its significance.

5. Give the ætiology, symptoms, diagnosis and treatment of multiple neuritis.
6. Give the diagnosis of pregnancy in the fourth month.
7. How would you differentiate, by physical signs, between pulmonary consolidation and effusion into the pleural sac?
8. What are the chemical and microscopical characteristics of the urine in (a) acute parenchymatous nephritis; and (b) in chronic interstitial nephritis?
9. Make the differential diagnosis between mitral stenosis and mitral regurgitation, and give the symptoms and treatment of dilatation of the heart.
10. Write a prescription for a cough mixture, containing an anodyne, an expectorant, an adjuvant and a vehicle, giving correct official terms in Latin, without abbreviations, with directions for use.

Sheet 2.

11. What would you do first in a case of severe cut-throat with laceration of the trachea?
12. Give the symptoms and treatment of strangulated hernia.
13. Give the symptoms, differential diagnosis and treatment of a case of scarlet fever occurring in a hospital for the insane.
14. How would you treat a case of erysipelas?
15. How would you distinguish the epileptiform attacks of cerebral disease from the convulsions of true epilepsy?
16. Have there been any epileptics distinguished in literature or history, or able to take more than ordinary standing in communities?
17. Give the symptoms and clinical history of a case of acute melancholia resulting in recovery.
18. Describe the pathological condition in pachymeningitis interna hæmorrhagica.
19. Explain how you would go about to detect a case of feigned insanity.
20. For what purposes may the ophthalmoscope be used in cases of insanity?

EXAMINATION FOR THE POSITION OF MEDICAL SUPERINTENDENT AND FIRST ASSISTANT PHYSICIAN.

Held August 27, 1897.

Sheet 3.

1. State, consecutively, the legal steps that are necessary to secure the commitment of an insane person to custody.

2. State, in substance, the rules governing superintendents of State hospitals, county, city and town officials, also the relatives and friends of patients, in the removal of insane persons from poorhouses or from their homes to State hospitals.

3. Give the regulation governing the transfer of patients from one hospital to another.

4. State, in substance, the regulation governing the service of legal papers upon insane patients in custody, and the execution of instruments by them.

5. Give the substance of the statute governing the discharge of patients from State hospitals.

6. State, in substance, the rule governing the parole of patients.

7. Give the substance of the regulations governing the correspondence of the insane.

8. State, briefly, the statutory powers and duties of superintendents of State hospitals.

9. State, in substance, the law relating to monthly estimates for the expenses of State hospitals.

10. State, in substance, the law governing the purchase of supplies for State hospitals.

Sheet 4.

11. Give a summary of the statute relating to case-book entries.

12. Fill out in full, the accompanying certificate of lunacy.

13. Describe the duties of a receiving officer in admitting a patient to a State hospital.

14. Describe the organization of the ward service of a State hospital, with reference to the classification of patients, giving the most desirable structure arrangement of wards for each class, the ratio of attendants or nurses to patients required to

properly care for each class, the classes for which you would provide a special night service and the duties of both day and night nurses.

15. What provision would you make for the care of epileptic, suicidal, homicidal and so-called filthy patients — especially at night?

16. State your views as to the best method of bathing patients in State hospitals, with the reasons therefor; also what special precautions should be taken in the bathing of patients?

17. What precautions should be taken in the prescription and administration of medicines to patients?

18. In preparing a dietary for public patients, what would be a proper per capita daily ration, in ounces or fractions thereof, of the following articles: Potatoes, bread, fresh meat, milk, tea, coffee, butter, sugar, eggs, dried beans, dried peas, oat meal?

19. In specifying the weights of carcasses, in contracts for fresh beef and mutton, what should be the maximum and minimum weight for each?

20. How long would you permit a patient to fast before resorting to forced alimentation? By whom should forced feeding be done, and what method would you employ? Describe the process.

EXAMINATION FOR THE POSITION OF MEDICAL SUPERINTENDENT.

Held August 27, 1897.

Sheet 1.

1. Give the gross anatomy of the liver.
2. Describe the circle of Willis.
3. Give the physiology of respiration.
4. How are fats digested?
5. Give four good tests for albumen in urine.
6. What is the chemical composition of gall-stones?
7. Name the alkaloids of opium and give the dose of each.
8. What are the indications for the use of hyoscyamus?

9. What symptoms would justify you in stating positively that a woman was pregnant?

10. What would you do in case of placenta prævia if serious hemorrhage occurred during the ninth month?

Sheet 2.

11. How would you treat puerperal eclampsia?

12. Describe the dislocations of the humerus and the method of reducing each.

13. What operation would you recommend in case of a small stone in the bladder of an elderly man?

14. How would you diagnose appendicitis?

15. Give the physical signs of the three stages of acute lobar pneumonia.

16. How would you treat intestinal hemorrhage in the third week of typhoid fever?

17. Give the differential diagnosis between measles and scarlet fever.

18. Name and describe the different forms of aphasia.

19. What is the prognosis in locomotor ataxia?

20. What are the causes of hemianopsia?

EXAMINATION FOR THE POSITION OF APOTHECARY.

Held August 27, 1897.

Sheet 1.

1. What weights and measures are used in writing prescriptions? Give tables or outlines of each one.

2. What is the weight of one fluid ounce of water at 60° temperature? Weight of one fluid ounce of alcohol, same temperature (s. g. of alcohol .820)?

3. When extract of dandelion is ordered in a prescription, should you use solid or fluid extract?

4. How much 10 per cent. solution of nitroglycerin should be used to make one pint of 1 per cent. alcoholic solution of the same?

5. What is the average dose of nitroglycerin and how much of a 1 per cent. solution is equal to such dose?

6. What per cent. of crude drug do fluid extracts represent? What per cent. do tinctures represent?

7. Define alkaloids, neutral principles; give two examples of each.

8. In making an oleate of an alkaloid, should the alkaloid be used or a salt of it? Give reason for your decision.

9. Define boiling point. Why is not the boiling point of all liquids the same?

10. What effect does the application of heat and cold have upon the bulk or volume of bodies?

11. Define an organic and an inorganic body, and give one example of each.

12. Do the laws of chemistry apply equally to organic and inorganic bodies?

13. Define incompatibility; give an example of it occurring in a prescription. Is it ever intended to occur in prescriptions?

14. Define the terms analytical, synthetical, qualitative and quantitative, as applied in chemistry.

15. Define deliquescent, efflorescent and volatile; give one example of each of such bodies.

16. Give explanation of the preparation of sol. citrate of magnesia, stating ingredients and chemical changes.

17. What are chemical and what physical properties? Give example of each with iron.

18. What is the composition and medical property of compound licorice powder?

Sheet 2.

19. What varieties of oil of almonds are official; give dose of each?

20. What are aloes, from what derived? Which is the best variety?

21. What varieties of senna are official, which is the best?

22. What is the common name of *rhamnus purshiana*, what part is used, what is its medical property?

23. What are the official preparations of rhubarb, what are its medicinal properties?

24. Belladonna; what are its medicinal properties, what parts are used; give dose of its alkaloid?

25. What is eucalyptal; what is oil of eucaclyptus?

26. Give official name of oil of pennyroyal and oil of peppermint.

27. How does tincture of opium differ from deodorized tincture of opium? Give dose of each.

28. What is terpin hydrate, what its medicinal property, and dose?

29. How would you test tincture of aconite to ascertain its quality?

30. What is Lugol's solution? Give its official name.

31. What is a poison, what is an antidote?

32. What is a chemical, and what a physiological antidote?

33. From what and how is hydrated oxide of iron prepared?

34. Name two prompt and common emetics (not ipecac) with dose for use in cases of poisoning.

35. Give average adult dose of each of the following: Arsenic, strychnine, corrosive sublimate, atropine, aconite, digitalis, gelsemium, chloral hydrate, elaterin and cantharides.

36. Give dose of tr. aconite, tr. digitalis, tr. gelsemium and tr. cantharides.

**EXAMINATION FOR THE POSITION OF ARCHITECTURAL
DRAFTSMAN.**

Held August 27, 1897.

Sheet 1.

1. Give the dates of the five orders of architecture and by whom used.

2. Name the sub-divisions of the columns and entablature.

3. What drawings are ordinarily required for the erection of a building?

4. Describe how to make a perspective drawing.

5. Describe how to make a drawing in isometric projection.
6. What are the conventional colors used to show different materials on drawings?
7. What are the different kinds of cross-hatching used to show different materials on drawings?
8. How does a plan differ from a sectional drawing?
9. Under what circumstances are the following scales used in making drawings:

$\frac{1}{8}$ scale
 $\frac{3}{16}$ scale
 $\frac{1}{4}$ scale
1" scale
3" scale and
Full size.

10. Name the different kinds of bottoms for foundations in the order of their desirability.
11. How should a quick-sand bottom be prepared?
12. How should a rock bottom (sloping) be prepared?
13. How should piles be driven and how should the maximum load be determined?
14. Describe ranging timber and gullage foundations.
15. Write a brief specification for (a) concrete; (b) stonework; (c) brickwork.
16. Describe bonding in brick piers.
17. Describe the methods of anchoring ashlar to the backing.
18. Describe the different kinds of bonds used in brickwork.
19. Describe the various methods of preventing dampness penetrating walls.

Sheet 2.

20. Describe the various ways of carrying the weight over openings in walls.
21. Give the thickness required for the walls of an ordinary six-story warehouse building.
22. Describe a bearing wall in contradistinction to a non-bearing wall.
23. Describe the various kinds of fire-proof floors.

24. Describe the various methods of rendering ironwork fire-proof.

25. Describe how the end of a wooden beam resting in a brick wall should be cut.

26. What woodwork can safely be used in a brick wall?

27. How far should headers and trimmers be kept away from chimney flues?

28. Describe how headers and trimmers should be built: (a) Four feet long; (b) twelve feet long; (c) fifteen feet long.

29. Describe how the trimmer arch for a fireplace should be constructed.

30. Describe how to properly protect furnace flues.

31. Describe fire-proof construction in contradistinction to non-fire-proof construction.

32. State the safe deflection of a steel beam.

33. State the safe carrying capacity per square foot of (a) concrete (Portland); (b) brickwork (Rosendale); (c) brickwork (Lime); (d) limestone (Indiana); (e) North River bluestone; (f) spruce; (g) yellow pine.

34. State the weight per cubic foot for the following: (a) Concrete; (b) brickwork; (c) spruce; (d) yellow pine.

35. What are the superimposed loads to be allowed for the following floors: (a) Sidewalk; (b) meeting-room; (c) dwelling; (d) offices; (e) warehouse; (f) stable; (g) roofs.

36. Give the methods of calculating the strength of a wooden floor beam with example.

37. Give method of calculating the strength of a yellow pine post with example.

38. What are the ordinary weights per square foot of the following floor constructions: (a) Wooden floors; (b) deafened floors; (c) fire-proof floors, giving weights in detail.

Sheet 3.—Drawings.

Note.—Drawings should be made to a scale to fit the paper.

1. Make a drawing of the culmination of the Grecian Ionic.

2. Make a drawing of a Roman window.

3. Make a drawing of a Romanesque dormer.
4. Make a drawing of a Gothic capital.
5. Make a drawing of an Italian Renaissance pediment.
6. Make a drawing of an oriel window.
7. Make a drawing of a colonial porch.
8. Make a drawing of the footing of a wall for an ordinary six-story warehouse building.

Sheet 4.—Drawings.

9. Make a drawing for a steel girder and cast-iron column connection showing bracket, lug, etc.
 10. Make a drawing of the section of a box window frame.
 11. Make a sectional drawing of a 2 ft. 4 in. door with panelled jamb.
 12. Make a sectional drawing of a good wooden base board.
 13. Make a drawing of a frieze in relief.
 14. Make a drawing of a wrought-iron front for a passenger elevator shaft.
 15. Make a drawing of a brass chandelier costing \$50.00.
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**EXAMINATION FOR THE POSITION OF CHIEF ELECTRICAL
ENGINEER.**

Held August 27, 1897.

Sheet 1.—Experience and Education.

1. What was your age on your last birthday?
2. Name the class of schools in which you received your education, with the length of time and grade attained.
3. If you have received any technical or trade school education, describe it, stating for what trade or calling you studied, where and how long.
4. State the principal occupations you have been engaged in since your educational period with the time in each.

5. Have you ever served an apprenticeship or learned a trade? If so state what trade and how long you served.

6. What other special experience have you had or what qualifications do you possess which fit you specially for the position you seek?

7. Describe the largest plant you have been connected with and the position you occupied.

8. Are you a candidate for chief engineer or assistant engineer?

9. Have you ever been licensed by a city or U. S. board of examiners? If so, state the particulars.

Sheet 2.

1. You are given charge of an isolated lighting plant that employs a lead storage battery as an auxiliary. What are the advantages of the battery for this purpose? How do you know when the cells are fully charged? How long would you think it safe to allow the uncharged battery to remain uncharged? What harm, if any, may come to the battery when discharged at an excessive rate? What harm when short circuited? What is the internal resistance (approximate) of a 150 ampere Howe cell that has a normal rate of discharge of 10 amperes? State in detail what tests of individual cells you would make to determine their healthful condition. How often should these tests be made? Should you find a cell in bad condition what would you do to improve it?

2. Name some well known passenger elevator operated electrically. Describe with the aid of a diagram the electrical equipment and mode of operating, including the motor and controlling devices.

3. (a) Give a diagram of connections for the switchboard of a station operating two alternators in parallel. (b) Describe in detail the operation of starting up one alternator and putting it into parallel so as to share the load with the other alternator already at work. (c) By what means are alternators made to operate over compounded.

4. In a transformer with a primary of 400 turns, designed for and connected across a set of mains that deliver a pressure of 1000 volts at 125 cycles, how many turns must the secondary coil have to develop 50 volts? Give a diagram showing clearly how you would connect two 1000 volt—100 volt transformers to supply a house wired for the three wire system. What loss, if any, occurs in a transformer when all load on the secondary is removed?

5. In a four-pole direct current machine with a gramme ring multiple around armature: (a) Give a diagram showing how such an armature is wound; also a diagram showing the connection of the brushes to the leads from the machine. (b) A short circuit occurs in one of the sections of this winding: State exactly and in detail what you would do to make this armature operate where time is not allowed for rewinding. (c) Why must care be taken to center electrically a multiple wound multipolar armature in the magnetic field? How would you proceed to determine whether such an armature is properly centered in its field?

6. Give a diagram of winding for a two path four pole direct current drum armature. In service when an armature of this type is needed for constant use, a section short circuits within the winding and burns out: State what you would do to put this armature into safe condition for immediate temporary use.

Sheet 3.

7. What points would you observe in the regular operation and care of a compound light or power generator, and of open and closed coil arc machines?

8. (a) State the details of starting up a 20 h. p. stationary, polyphase induction motor. (b) Compare the practical operating properties or characteristics of the direct current shunt motor with those of the polyphase induction motor.

9. (a) Being in the market for incandescent lamps what method would you employ to find the best lamp offered for the price? (b) Lamps are marketed at 2.5, 3, 3.5 and 4 watts per candle power. What lamp would you prefer for an ordinary isolated lighting plant employing high grade steam machinery and direct current generators?

10. What kind of station switch do you consider satisfactory for breaking a circuit carrying 1000 direct current amperes at 125 volts? 200 direct current amperes at 550 volts? 100 alternating amperes at 1000 volts?

11. Specify the kind of insulation for copper wire you would consider satisfactory for concealed incandescent wiring. What is the smallest size of wire that you would use for making taps to outlets? What is the smallest size of wire from which you would consider it safe and proper with ordinarily good workmanship to make soldered branches or taps? What is the largest number of amperes that you may furnish through a cut-out to a single final outlet or to a group of outlets? In a building to be furnished with electroliers, brackets and concealed wiring with the use of No. 14 wire for wiring the fixtures, what is the largest number of 100 volt 16 c. p. lamps that you would operate from a single circuit protected by a single cut-out? What number of lamps when No. 16 is used to wire the fixtures? What number of lamps when No. 18 is used? Would it be advisable to put cut-outs into the canopies of fixtures so as to enable larger number of lamps to be operated from a single circuit going to outlets?

12. What size of wire in circular mils will deliver a current of fifty amperes at 100 volts a distance of thirty-five feet from the switchboard with a total drop in pressure of 2 per cent. for both sides of the circuit? In concealed work for the above case would you install the size you determined above should the allowable

drop be 2 per cent.? To assist in answering this question the following data are given:

No.	Sizes in Cir. Mils.
14	4,100
12	6,500
10	10,300
8	16,500
6	26,200

13. An isolated plant furnishes 100 volt current to 1000 16 c. p. 3.6 watt incandescent lamps, 30 2000 c. p. arc lamps operated from the incandescent circuit and 4, 5 h. p. motors. The plant is equipped with modern high grade steam and electrical machinery direct connected; how many indicated horse power must the engines develop to furnish all the needed current?

**EXAMINATION FOR THE POSITION OF ASSISTANT ELECTRICAL
ENGINEER.**

Held August 27, 1897.

(Sheet 1, same as for electrical engineer).

Sheet 2.

1. When trimming an arc lamp what is the manner in which the carbons are set? State what inspection and care should be given the lamp.
2. How would you handle an armature when taking it out of a generator and removing it to a distance?
3. Give in detail the methods of care to be used in operating a direct current generator while running and while idle. In what respects does the care of an alternator differ from that of a direct current generator?
4. In a direct current lighting plant describe the manner in which you would proceed to connect one generator in with another already running.

5. What caution should be observed when breaking the field circuit of any generator?

6. Name some well known arc machine and describe with the aid of a diagram how you set its brushes and care for its commutator.

7. What change in the behavior of a motor will occur when you lessen the field current by inserting resistance in the field circuit? What when you increase it by throwing out resistance?

8. With two or more generators operating in parallel, what would happen if the field of one should become weakened? What if the field circuit were suddenly broken? What if the field became stronger than the normal?

9. In a station equipped with circuit breakers that furnishes electric power to lights and motors, when one of the circuit breakers "goes out" what precautions would you adopt in replacing it?

10. Why should the use of fuse wire without copper tips be avoided in re-fusing cut-outs?

11. Specify in detail the process of making a complete and satisfactory joint or tap in electric light wiring.

**EXAMINATION FOR THE POSITION OF CHIEF STEAM
ENGINEER.**

Held August 27, 1897.

(Sheet 1, same as for electrical engineer.)

Sheet 2.

1. What accidents have occurred and what injuries have been met with in the operation of engines and boilers with which you have been familiar, and how were they caused? State also what repairs were actually made in such cases and whether they were satisfactory, and how you would proceed in similar cases should they arise hereafter.

2. What course would you pursue if a journal heats? What if a boiler primes? If a belt should break or load is suddenly thrown off, or the governor becomes inoperative, what can be done to prevent accident?

3. What do you consider to be the duty of the engineer in charge during the period of constructing and erecting his engines and boilers?

4. What is the cause of a leaky engine valve, and what the proper method of remedy?

5. Can you use a steam engine indicator? How is it applied; what does it reveal; when would you make use of it, and how profit by its use?

6. What are the two principal usual forms of governor; for what purpose is each suited; to what accidents are they liable, and how would you prevent such accidents or evade their probable consequences?

7. How do you know when a boiler should be taken off for repairs or cleaning, and when thrown out of use entirely as too dilapidated for further safe use or repairs?

8. What are the causes of decay? What are the causes of steam boiler explosion? What precautions should you advise against both these methods of destruction of boilers?

9. How do you proceed in the inspection of an engine on taking charge?

10. How do you remedy such defects as a cut journal? A leaky piston? A worn cylinder? A leaky joint in steam-pipe? At a manhole? In the cylinder-head joint? The steam-chest cover gasket, if any?

Sheet 3.

11. How do you compute the power of an engine, and how would you set its valves to secure the best performance?

12. How is the power of a boiler measured? How is its strength and safety determined by the inspector? How would you make it certain at any time should the question arise, that your boiler can be safely operated at any required pressure?

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13. How would you compute the safe pressure for a boiler, the dimensions of which are known? Give an example. What is the difference in strength between a single and double riveting, and on what seams is the stronger system of riveting most desirable?

14. What advantages and disadvantages attend the use of steel rather than iron in boilers, and what is the nature of each material, and what the method of selection for boiler construction?

15. What apparatus is used in feeding steam boilers, and what are the special advantages and disadvantages of each form? If they fail to work when attached to the boiler, how would you proceed in the emergency? What is an injector, and what a direct-acting steam pump? Which is best, a steam pump or a belt-driven pump, and why?

16. What is "water-hammer," how is it produced, what are its effects, and how would you prevent it?

17. What is the difference between prime steam and exhaust steam heating systems, and what differences are necessary in dimensions and total area of heating pipes, and in their arrangement?

18. What are the accidents and the kinds of deterioration and of failure commonly liable to occur in steam heating systems, and how would you prevent such accidents, and how make repairs?

19. What would you consider good work in engines and boilers, as indicated by coal and steam used and power developed? What is the best engine for such economical work? Is it the simple, the compound or the triple expansion? What are their differences and their effects?

20. What amount of radiating surface would be required to heat, by direct radiation, a building containing 500,000 cubic feet of space? What boiler capacity is required? What required for indirect radiation?

**EXAMINATION FOR THE POSITION OF ASSISTANT STEAM
ENGINEER.**

Held August 27, 1897.

(Sheet 1, same as for electrical engineer.)

Sheet 2.

1. Describe fully a fireman's duty in a boiler-room.
2. What produces scale in boilers? What simple measure may be taken to prevent it?
3. Should a boiler be blown off under full head of steam, or under a partial head? Give reason for your answer.
4. How much pressure should be carried with a banked fire?
5. What effect has greasy water on a boiler?
6. How would you proceed to start up a new boiler? Give all details.
7. What are the advantages of hot feed water?
8. Should, or should not, air be admitted to a furnace above the grate bars? Give a reason for your answer.
9. What result may follow if water in the boiler is allowed to get too low? What if it gets too high?
10. What should be done in case of low water? What should be done in case of foaming?
11. What is the use of gauge cocks and gauge glasses in connection with steam boilers?
12. How should fires in grate be maintained, and what should be the condition of fire and furnace to procure the best results from coals?
13. How should a battery of boilers be fired so that they might steam to the best advantage?
14. Give the different trimmings on a boiler and define their uses.
15. Does it pay to cover a steam-pipe? How would you cover a boiler? What is the advantage of warmly covering the steam cylinder?
16. How do you start a fire? How do you handle the boiler while steam is making? How turn steam on the engine or into the steam main?

17. How do you prevent and how cure a hot journal? What is its cause?

18. How do you handle the fire to insure a steady, ample and economical supply of steam?

19. How do you compute a proper safety-valve area?

20. How do you ascertain the power of an engine?

21. What is an indicator and how used?

22. What would you expect if the governor-belt should break or run off?

EXAMINATION FOR INSPECTORS OF PUBLIC WORKS.

Held August 27, 1897.

Sheet 1.—Experience and Personal Questions.

State truly the facts concerning yourself as follows:

1. Your age years.
2. Your education. What schools did you attend?.....
For how long?.....
To what grade did you attain?.....
3. Have you attended a trade or technical school?.....
If so, what school?.....
What trade or profession did you study for?.....
For how long?.....
4. Did you serve an apprenticeship at any trade?.....
If so, what trade?..... For how long?.....
5. Give in order the principal occupations you have followed since the educational period, with length of time in each.....
6. Have you ever acted as inspector on any construction or engineering work?.....
If so, on what work or works, and what part of it did you inspect, and for how long?.....
7. Have you been a master or foreman or employer of labor?..... If so, state the nature of the work and the number of men under your charge.....
8. What is your conception of the duties of an Inspector on Public Works,.....

- (a) in reference to the specifications of the contract?.....
- (b) in reference to the officer under whose orders he acts?

Sheet 2.

1. When a canal bank is to be built, what preliminary work is required on the site of the bank before any earth is deposited, and why?

2. Which is the preferable way of making a bank, to raise it in practically horizontal layers, or to dump from the end of the bank, keeping it at about grade?

3. What is "shrinkage" in a bank of earth, and about what percentage is it of the excavation required to make the bank?

4. Describe the materials best fitted for puddling, and how they should be used in building a bank to insure imperviousness to the passage of water.

5. Describe what is necessary in shaping, placing and driving sheet piling, to insure its tightness.

6. Suppose the excavation for a dam to be carried down to rock, and water is found to be issuing from fissures in the rock, what should be done?

7. Suppose in excavating for the foundations of a bridge abutment or a lock-wall, that the rock which was thought to be practically level at a certain depth, is found to fall away rapidly over a part of the foundation; what would you require of the contractor?

8. Suppose a slope wall is to be built for the protection of a bank from the wash of a stream; describe the essential points in the details and construction of such a wall to insure permanency?

9. If the bank behind a retaining wall is very wet what should be done?

10. How would you fill in behind a retaining wall to obtain the least pressure against the wall?

Sheet 3.

11. Describe a quick method by which the quality of cement can be tested in the field.

12. Describe clearly the best method of mixing concrete and of so placing it as to secure the most solid work.

13. If necessary to deposit concrete under water how would you do it; also what is to be guarded against in such work?

14. Describe clearly the operation of setting large blocks of stone, so as to insure full beds and joints; also how can you insure adhesion of the mortar to all parts of the beds, etc.?

15. What is your opinion of the use of grout in masonry, and when is it desirable?

16. Give the essential points in a first-class job of brickwork in cement, including materials and workmanship.

17. Describe the method of pointing the joints in masonry so as to insure that pointings shall be permanent.

18. Describe a good pile.

19. (a) How would you determine that a pile has been driven to a bearing? (b) How would this be affected by piles brooming at the top, and what is the remedy? (c) Which is the most effective method of driving, by frequent blows with small fall of the ram, or slow blows with a greater fall?

20. In bolting timbers together by drift bolts, which hold best in the timber, "rag bolts" or smooth, blunt bolts, and why?

EXAMINATION FOR MILK EXPERT, DEPARTMENT OF AGRICULTURE.

Held August 27, 1897.

Sheet 1.—Experience and Personal Questions.

1. What is your age (in years)?
2. Describe your general education, stating kind of schools attended, length of time, and grade attained.
3. Have you had any special or technical education in lines that would aid you in the duties of the position applied for?....
If so, describe such education.
4. Have you learned any trade that would so aid you?.....
If so, name such trade and give length of time served.
5. Give your principal occupations since the education period, with length of time in each.
6. State any special experience or qualifications, not included above, for the position applied for.

Sheet 2.

1. What is milk?
2. Name and describe the principal solids of milk.
3. What are the provisions of the State law regulating the sale of milk?
4. Describe the ordinary lactometer and thermometer combined, as to its graduation. To what specific gravity does the 100 mark correspond when placed in milk at a temperature of 60 degrees F.?
5. Describe the Quevenne lactometer as to its graduation. To what point would it sink in milk at a temperature of 66 degrees F., to correspond with the 100 mark of the ordinary lactometer?
6. If an ordinary lactometer, when immersed in milk at a temperature of 54 degrees F., stands at 97, at what point would a Quevenne lactometer stand at a temperature of 68 degrees F. in same milk? What would be the specific gravity at 60 degrees F.?
7. After obtaining the specific gravity and the per cent. of fat, what system can be applied to determine the per cent. of total solids in milk? Apply it to the following: A sample of milk has a specific gravity of 1.028 at a temperature of 56 degrees F. and contains 3.0 per cent. of fat, what is the per cent. of total solids and the probable per cent. of adulteration?
8. What condition of the milk effects the specific gravity, to raise it or to lower it?
9. Explain in full the use of the Babcock test, including its principles of operation and the precautions necessary for accuracy.
10. What precautions are necessary to prevent the development of an undesirable fermentation in milk, which injures it for domestic purposes?

**EXAMINATION FOR BUTTER EXPERTS, DEPARTMENT OF
AGRICULTURE.**

Held August 27, 1897.

(Sheets 1 and 2, same as for milk experts.)

Sheet 3.

1. Name the three well-known methods of separating cream. How do they rank as to (a) efficiency of separation (b) simplicity of operation (c) quality of product?

2. In raising cream by gravity, what conditions are necessary for successful separation?

3. In a centrifugal separator what relation does the speed of the bowl and the rate of the inflow have upon (a) the amount of cream (b) the richness of cream (c) the completeness of separation?

4. What conditions of the milk effect the completeness of creaming by centrifugal process?

5. How should cream be treated after being separated by centrifugal process? Explain fully your reasons.

6. What is meant by ripening cream? Why is it done? How can it be most perfectly accomplished?

7. What is meant by lactic fermentation; putrefactive fermentation; butyric fermentation? What conditions are most favorable for their development?

8. To what is the flavor of butter due?

9. What do you consider the best temperature for churning? Explain fully.

10. Name four of the principal fats in butter, and give their distinguishing characteristics.

11. What is meant by texture of butter and what would you expect to find in a sample of perfect butter?

12. What is the chief difference between oleomargarine and genuine butter? How is it most readily detected, by superficial examination or by chemical test?

**EXAMINATION FOR CHEESE EXPERTS, DEPARTMENT OF
AGRICULTURE.**

Held August 27, 1897.

(Sheets 1 and 2, same as for milk experts.)

Sheet 3.

1. What conditions in milk are necessary for the successful manufacturing of it into cheese?

2. How do you proceed to bring about the most favorable conditions?

3. How can you easily and accurately determine when the conditions are most favorable for beginning the process of cheese-making?

4. At what temperature is rennet the most active?

5. At what temperature should milk be when the rennet is added for the most favorable results in making cheese? Explain in full why rennet should be added at any given temperature of the milk.

6. Name the forces used to separate the whey from the curd.

7. Explain the methods of treating the curd which are most favorable for expelling the whey and the temperature to which it can be raised for perfect and economical results.

8. How is the fat held in the curd? What precautions are necessary to prevent its loss?

9. What are the principal causes of gassy and tainted milk? How should such milk be treated, and why?

10. What causes mottled cheese, and how can it be prevented?

11. What changes take place in curing cheese? What temperature and degree of moisture are most favorable in a curing room?

12. What is the composition of a full cream cheese of good quality?

13. Is the Babcock test a fair basis for paying for milk in a co-operative cheese factory? Explain in full your reasons for your reply?

**EXAMINATION FOR VINEGAR EXPERTS, DEPARTMENT OF
AGRICULTURE.**

Held August 27, 1897.

(Sheet 1, same as for milk experts).

Sheet 2.

1. What kinds of vinegar are there in markets of this State?
(5 credits.)
2. What are the constituents of these vinegars, and how do they differ? (10 credits.)
3. How does the New York law define adulterated vinegar?
(20 credits.)
4. Must any vinegar in this State be branded? If so, how?
(10 credits.)
5. How must an inspection of vinegar be conducted to be legal?
(15 credits.)
6. How would you determine the "acidity" of a sample of vinegar? Explain fully. (20 credits.)
7. How would you determine the amount of "solids" in a vinegar? (10 credits.)
8. If these determinations of acidity and solids were made as you describe, would they be accurate? Why? (5 credits.)
9. How does the temperature of the vinegar affect the determination of acidity or solids? Why? (5 credits.)

**EXAMINATION FOR THE POSITION OF CHEMIST, DEPARTMENT
OF AGRICULTURE.**

Held August 27, 1897.

Sheet 1.

1. What is, approximately, the average percentage composition of milk?
2. Give in full detail the method for the complete analysis of milk.
3. What is the composition of butter, and what are, approximately, the relative proportions of its several components?

4. What is understood by oleomargarine, and what is its chemical composition?

5. Describe in full the Reichert method for the examination of butter, and explain the chemistry of the operation and the application of the results to the detection of adulteration of butter.

6. Describe the Koettstoefer method for the examination of butter, and explain the chemistry of the operation and the application of the results to the detection of adulteration of butter.

7. How would you proceed to determine the water and salt in butter?

8. Give an account of the method of manufacturing oleomargarine, and also of oleomargarine butter.

9. Discuss the objections to the use of oleomargarine as an adulterant of butter.

10. Give an account of the chemistry of fats in general.

Sheet 2.

11. A sample of milk being brought to the laboratory in a curdled condition, how would you proceed in order to prepare it for determination of specific gravity?

12. What is understood by the iodine number of a fat? Describe the operation for the determination of this number for any given fat, and explain the chemistry of the reaction.

13. Describe the Babcock method for the determination of fat in milk, and explain the chemistry of the operation.

14. Compare proteids and carbohydrates as to occurrence in plants and animals, chemical composition, and chemical behavior.

15. Give an account of the chemical changes that take place in milk when kept in a moderately warm place, and explain the causes thereof.

16. Name the preservatives most generally used to prevent these changes, and the methods of preventing them.

17. What is understood by the Pasteurizing of milk? Describe the operation.

18. Compare butter and cheese as to composition, and food value.

19. Describe a method for the determination of the melting point of butter.

20. Describe two methods for the detection of the adulteration of vinegar with mineral acids.

**EXAMINATION FOR INSTRUCTOR IN MOULDING, STATE
REFORMATORY, ELMIRA.**

Held September 9, 1897.

Sheet 1.

1. State your age.
2. State where and to what extent you were educated; what, if any course you completed, and what, if any, diploma you hold.
3. Give the details of your technical or trade school education, if any.
4. What occupations have you followed since the educational period, how long, and when employed in each?
5. Where did you learn moulding? Under whom and how long did you serve apprenticeship, if any?
6. State in detail the kinds of shops you have been employed in, giving general nature of work done, number of employes, positions held and kinds of work done by you. Be explicit as to dates and places.
7. If not answered above, state whether you have ever served in the capacity of foreman; and, if so, how long and how many employes you had under you.

Sheet 2.

1. Name the materials used in moulding.
2. Name the tools used in moulding.
3. Describe the essential quality and composition of each of the various sands used in moulding. Show how you would tell a good sand from a poor one in each case.
4. Describe in full the moulding of a pulley wheel with spokes about 2' in diameter with a 5" face.
5. Describe the moulding of a cog wheel. What are the principal causes of failure?

6. Describe the moulding of a piece of hollow-ware—as a kettle, including pattern, boxes, etc.

7. Describe the moulding of large iron pipes, both with and without cores.

8. Describe the moulding of a steam cylinder with steamways.

Sheet 3.

9. For what classes of work are chills necessary? Discuss the process in full.

10. Discuss the various qualities and grades of foundry pig irons and proper use of each.

11. Discuss the mixing of irons; the use of scrap iron, wrought and cast.

12. Discuss the lining and repairing of the cupola, charging the cupola, melting of iron, loss in melting.

13. Discuss the cleaning and inspection of castings; also strains in castings.

14. What is malleable iron and how produced?

15. Discuss shrinkage of iron; precautions necessary in pouring; causes of failure in pouring.

16. Discuss the relations of pattern-maker and moulder.

**EXAMINATION FOR SUPERINTENDENT, HOUSE OF REFUGE
FOR WOMEN, HUDSON, N. Y.**

Held September 9, 1897.

Sheet 1.—Experience, etc.

1. What is your age? What is your civil condition? If married, what family have you? Is your family dependent on you for support?

2. Describe your education?

3. State what occupations you have followed since the educational period, with length of time in each. What is the highest salary (or income from your own industry) you ever had, and when, where, for how long and in what occupation did you receive it?

4. Describe any special experience you have had that in your opinion fits you for the position you seek.

Sheet 2.—Geography of New York State.

1. In what county is each of the following cities: Buffalo, Auburn, Binghamton, Yonkers, Troy? Name a city in each of the following counties: Chautauqua, Steuben, Jefferson, Oneida, Orange.

2. Locate ten public State institutions outside the city of Albany.

3. Name and locate five regions or places in the State prominent as summer resorts.

4. Name two lines of railroad reaching from New York City (or the adjacent shore of New Jersey) to Buffalo, and name the important cities in this State on the direct line of each road.

5. What geographical reasons are there for the great importance of the New York Central railroad?

Sheet 3.—Letter-writing.

Write a letter, correct in form, addressed to the President of the Board of Managers of the House of Refuge for Women at Hudson, outlining your views as to means to be adopted for the reformation of women misdemeanants.

Sheet 4.—Constitution and Government.

1. What boards and commissions are provided for in the Constitution to have supervision of charitable and penal institutions?

2. Is the House of Refuge a charitable or a penal institution? Why?

3. What other similar institutions exist in the State?

4. In what body, and how constituted, is the control of the House of Refuge reposed?

5. What persons may become inmates, and how?

6. What is a misdemeanor?

7. What is a "commitment?"

8. What rules are laid down by law for the employment and instruction of inmates of the House of Refuge?

9. What do you understand by petit larceny?
10. How is the Legislature of the State constituted? Give number of members, manner of selection and term of office.

Sheet 5.—Physiology and Hygiene.

1. What is meant by digestion?
2. In what two ways is the nutritious part of the food taken into the blood?
3. What is meant by the circulation of the blood? Describe the circulation of a drop of blood, starting from the left auricle of the heart.
4. What is oxygen, nitrogen, carbonic acid gas? What is the relation of each to the human bodily economy?
5. What is the normal temperature of the body?
6. What is the difference between arterial and venous blood?
7. Describe inspiration; expiration. What is the normal number of respirations per minute?
8. What would you do for a fainting person?
9. What is the treatment for sunstroke?
10. How would you stop the bleeding from an artery, from a vein?

Sheet 6.—Sanitation and Housekeeping.

1. Describe the best methods for the thorough disinfection of rooms and wards.
2. What should be the proper temperature for wards in winter?
3. State, in detail, how you would take care of a sick-room.
4. How would you manage a contagious disease?
5. For a dormitory for 30 women from 18 to 30 years of age, each having a single bed, what would be the necessary equipment of bedding and bed linen, including necessary changes?
6. In such a dormitory, what should be the frequency of change of the various articles of bedding? Give reasons.
7. What supervision must the superintendent, responsible for the housekeeping, exercise over the laundry? How would you know whether the bed linen was properly laundered?

8. What different results are produced by broiling, frying and boiling of meats? Are any meats properly cooked by frying?

9. How would you know that a room needed ventilating, and how should it be done?

10. What constitutes good housekeeping in an institution, and how would you achieve it?

**EXAMINATION FOR INSTRUCTOR IN BOOKBINDING, STATE
INDUSTRIAL SCHOOL, ROCHESTER, N. Y.**

Held September 14, 1897.

Sheet 1.

1. State your age.
2. State where and to what extent you were educated; what, if any, course you completed, and what, if any, diploma you hold.
3. Give the details of your technical or trade school education, if any.
4. What occupations have you followed since the educational period, how long, and when employed in each?
5. Where did you learn bookbinding? Under whom and how long did you serve apprenticeship, if any?
6. State in detail the kinds of shops you have been employed in, giving general nature of work done, number of employes, positions held and kinds of work done by you? Be explicit as to dates and places.
7. If not answered above, state whether you have ever served in the capacity of foreman; and, if so, how long, and how many employes you had under you.

Sheet 2.

1. Describe fully the process of binding books in cloth.
2. Describe fully the process of binding a job printed book in one-half leather.
3. When should a book be whip stitched?
4. When should a book be sewed one, two or three on?
5. Name machinery and tools required for a job bindery employing six people.

6. Describe different methods of treating the edges of a book.
7. Name the two principal preparations used in finishing.
8. Name four sizes of paper used in binding a blank book.
9. When is a striker used in ruling?
10. Name the ten materials (to be assigned) in the order of their numbering.

(An oral examination followed.)

EXAMINATION FOR THE POSITION OF STENOGRAPHER.

Held at Albany, Syracuse, New York, Binghamton, Buffalo, Utica, Rochester, Malone and Elmira, on Oct. 7, 9, 14, 16 and 21, 1897.

Sheet 1.—Spelling.

- | | |
|----------------|--------------------|
| 1. apparent | 21. fragile |
| 2. essential | 22. utility |
| 3. precise. | 23. expansion |
| 4. illegible. | 24. resources |
| 5. surgeon | 25. insolvency |
| 6. evasion | 26. dissension |
| 7. precede | 27. achieve |
| 8. cordial | 28. panel |
| 9. generous | 29. salary |
| 10. league | 30. intrinsic |
| 11. separate | 31. grammar |
| 12. suspicious | 32. correspondence |
| 13. inherit | 33. notorious |
| 14. occasion | 34. Genesee |
| 15. guarantee | 35. business |
| 16. appliance | 36. certificate |
| 17. propitious | 37. calendar. |
| 18. utensil | 38. promissory |
| 19. gratify | 39. proceeds |
| 20. grieve | 40. counterfeit |

- | | |
|---------------|---------------|
| 41. dividend | 46. immediate |
| 42. voucher | 47. bargain |
| 43. barrel | 48. invoice |
| 44. average | 49. financier |
| 45. indemnity | 50. freight |

Sheet 1.—Spelling.

- | | |
|-------------------|-----------------|
| 1. acceptance | 26. endorse |
| 2. perilous | 27. promissory |
| 3. machinery | 28. assets |
| 4. usually | 29. premium |
| 5. cashier | 30. liabilities |
| 6. ballot | 31. insurance |
| 7. accuracy | 32. corporation |
| 8. customary | 33. instant |
| 9. classify | 34. receive |
| 10. movable | 35. warrant |
| 11. pharmacy | 36. concede |
| 12. Massachusetts | 37. remittance |
| 13. competent | 38. accrued |
| 14. precious | 39. surplus |
| 15. familiar | 40. invoice |
| 16. committee | 41. defalcation |
| 17. expensive | 42. ledger |
| 18. delegation | 43. tariff |
| 19. currency | 44. coupon |
| 20. sloping | 45. remunerate |
| 21. ninetieth | 46. injunction |
| 22. legislature | 47. rebate |
| 23. imitate | 48. indenture |
| 24. unceasing | 49. protest |
| 25. loser | 50. balance |

Sheet 1.—Spelling.

- | | |
|---------------|--------------|
| 1. equivalent | 3. achieve |
| 2. completion | 4. hostility |

- | | |
|----------------|-------------------|
| 5. acceptance | 28. attorney |
| 6. filial | 29. collateral |
| 7. chisel | 30. citizen |
| 8. peasant | 31. foreign |
| 9. vicinity | 32. Delaware |
| 10. perceive | 33. commercial |
| 11. expedient | 34. bullion |
| 12. shrewd | 35. Nebraska |
| 13. peculiar | 36. security |
| 14. ceiling | 37. conference |
| 15. cemetery | 38. maximum |
| 16. disability | 39. stationery |
| 17. relieve | 40. negotiable |
| 18. potato | 41. disbursement |
| 19. Missouri | 42. compromise |
| 20. colossal | 43. monopoly |
| 21. guardian | 44. bankrupt |
| 22. exceed | 45. weight |
| 23. government | 46. notary |
| 24. Milwaukee | 47. abbreviate |
| 25. Seattle | 48. creditor |
| 26. affidavit | 49. tenant |
| 27. mortgage | 50. miscellaneous |

Sheet 2.—Dictation at 90 words per minute.

Albany, September 16, 1897.

10 Jos. W. Kay, Esq., Treasurer, Brooklyn, N. Y.: |

Dear Sir:—The State Civil Service Commission is in
 20 receipt of your communication of the | 15th inst., referring
 to the discharge of John W. Fawcett, a gate-keeper at
 30 Castle | Garden, because of a reduction in force.

40 The State Commission has no jurisdiction over public |
 officers with regard to the discharge of persons employed
 50 under them. The power of a | public officer to remove a
 (1) 60 subordinate is not impaired by anything contained in the |
 Civil Service statute or the rules (see Rule 45). The
 10 function of the Civil | Service Commission with respect

to appointments is to ascertain pursuant to the rules the qualifications | of applicants for the public service and to 20
 certify to appointing officers the requisite number | of 30
 names of applicants who have been found eligible. It is
 no part of the | duty of the State Commission, nor within 40
 the scope of its legitimate sphere, to take | any action 50
 with respect to improper removals of subordinates of public officers.

A person improperly | discharged, or any citizen feeling (2) 60
 an interest in the matter has an undoubted right to | take 10
 such action as he may deem lawful and appropriate concerning his removal. In case | the matter should then be 20
 referred to the Commission, the extent of its authority would | be to investigate the facts and report them to its 30
 superior, the Governor of the | State. Under no circumstances can the Commission attempt to exercise any control over public officers | either in respect to appointments 50
 or removals. The statute and the rules promulgated pursuant to the | statute apply with equal force to the Commission and to all public officers, and | while obedience to (3) 60
 the statute and the rules is expected from all public officials, authority | has not been given to the Commission 20
 to enforce its own views of the propriety | of an official action upon public officers. 30

With regard to the retention of veterans holding | appointments, in cases where in the judgment of a public officer a reduction of the | force under him becomes 40
 necessary or expedient, the Commission is of opinion that the fair | construction of section 4 of chapter 410, Laws of (4) 60
 1884, would | require the same preference for a veteran in 10
 the matter of his retention in office | as in the matter of 20
 his appointment, the relative fitness of the persons in the | service at the time being substantially equal. But 30
 the question of fitness for retention in | the service is 40
 one that must necessarily be determined by the head of the office, | and if a public officer does not abuse the power 50
 lodged in him, but fairly | concludes that a particular sub- (5) 60

ordinate ought not to be retained, the Commission is not aware | of any mode by which such an exercise of authority can be controlled. 10

By direction | of the Commission, 20

Very respectfully yours,

Clarence B. Angle,

Secretary.

Sheet 2—Dictation at 90 words per minute.

Gentlemen.—Your Committee on the Soldiers' and Sailors' Home at Bath, Steuben county, would respectfully | beg leave to submit the following report: The 10
Committee visited the Home on the 25th of February and made a thorough | inspection of the different buildings 20
connected with the institution, and found them in a condition | not creditable to the State. First, we find that 30
the plumbing and lavatory accommodations are | entirely 40
inadequate to serve the number of men crowded into the different barracks; for instance, | a sink is provided on 50
each floor of the several barracks which will only permit | (1) 60
of, at most, six men washing at one time, while one hundred men are expected | to use this one sink. We find 10
that the plumbing work is antiquated and that | the toilet 20
facilities are entirely insufficient for the needs of the inmates. Your Committee would | respectfully recommend 30
that a sufficient amount be appropriated to meet their necessities. Your Committee also | found the Home so 40
crowded that many of the old veterans were compelled to sleep | in improvised beds in the cellars, and in some cases, 50
for want of a bed | were sleeping on benches or tables. (2) 60
The reasonable capacity of the institution has long been | 10
passed, and an additional barracks is absolutely necessary to provide for the comfort of not | only the inmates, but 20
of the number of veterans seeking admission to the Home. The | buildings generally are in a bad condition and need 30
repairs, especially the floors, which should | be replaced 40
by new ones.

This institution was originally started, the grounds purchased and buildings | erected, by the Grand Army of the Republic, and was transferred to the State in | 1876, and has since been managed by a Board of nine Trustees appointed | by the Governor. The veterans of 1861 and 1865, who, owing | to wounds and disabilities incurred in line of duty, in preserving the integrity of the | nation, and who are now seeking the shelter that the Home affords, will soon have | passed away.

The Empire State furnished nearly one-fifth of the entire Union armies. The | tattered, torn battle flags which adorn the corridors of the Capitol building are the trophies | of the suffering and sacrifice that were given in the great civil conflict for the | preservation of the Union and in defending the honor of the flag of our country. | A few years more, and the actors in that great drama will cease to need | the protecting care of the State. Your Committee believe that the people of this State | remember with affectionate gratitude the loyal services of these men in preserving the unity of | this great nation, and who in their declining years deserve the highest consideration of the | people's representatives.

In view of the pressing needs of the institution, your Committee would respectfully | recommend that the sum of one hundred thousand dollars be appropriated for the erection and equipment | of a new barracks building, hospital extension, betterments and repairs to present buildings and | grounds, residence for farmer, deficiency in clothing account, and for the completion of the necessary | cooking apparatus for a new dining hall.

Sheet 2.—Dictation at 90 words per minute.

The Comptroller's report is so largely made up of tables and figures that ordinarily it | fails to engage the attention of the taxpayer. A study and comparison of these reports | would, however, furnish to every taxpayer in the State reasons for pride and also material | for reflection. He would see the great extension of State support, supervision

40 and care over | various institutions and classes in the State
 in furtherance of common humanity, and material pros-
 50 perity; | but, in the retrospect, he would find food for
 (1) 60 reflection as to whether the State | has not gone far enough
 10 in the direction of increasing the burden of taxation even |
 for very meritorious purposes.

The adoption of the new constitution, with its burden of
 20 increased | expenses, the practical extension of the State
 30 Care Act to all the counties of the | State, including Kings
 and New York, and the creation of a large canal debt,
 40 marks | a new era in the fiscal history of the State, and it
 50 may be profitable | to give serious thought to the situation.

(2) 60 In three-quarters of a century the State | has built and
 made free a valuable and useful system of canals for the
 10 benefit | of its commerce; it has inaugurated and fostered
 20 a free school system, and in the extension | of this system
 of education, it has built up, and now maintains, institu-
 30 tions for the | instruction of the vicious and delinquent
 40 youth of the State, not only in the ordinary | branches of
 the school, but in the mechanical arts; institutions for the
 50 blind, for the | deaf and dumb, for the feeble-minded, and
 (3) 60 for orphan Indians; it has also provided | institutions for
 the care of the disabled soldiers and sailors of the Union;
 10 and these | various institutions have cost, for the mainten-
 20 ance and repairs during the past year, over eight | hun-
 dred thousand dollars; it has built, and is maintaining, in-
 30 stitutions for the care of the | indigent insane, and the
 amount of this maintenance for the current year is esti-
 40 mated at | four million, two hundred thousand dollars. By
 50 reason of these institutions, and by the changes | made
 necessary by the magnificent growth of our State, the ex-
 (4) 60 penses of maintaining the State | government have in-
 creased from one million dollars in eighteen hundred and
 twenty to twenty million in eighteen hundred and ninety-
 10 five. | I have grouped these facts in this way for two
 purposes, to wit:

20 First. To | show the tendency of the State in building up
 30 a gigantic system that will call | for an enormous and ever

increasing annual expenditure for maintenance, believing that the time has | come to call a halt before this burden of 40
taxation becomes too heavy.

Second. To | emphasize what I said a year ago as to the 50
absolute necessity of making the | tax levy large enough to 60 (5)
leave some balance in the treasury at the end of | the fiscal 10
year. Another year's experience has decidedly increased
20 my appreciation of this necessity.

Sheet 3.--Dictation at 120 words per minute.

The best evidence of the growth of the civil service idea in this State is found in the evident superior | intelligence 10 sec.
and increasing number of those who enter the competitive examinations year after year. This year the number who entered | these examinations was 824, or nearly 50 per 20
cent. greater than the number who entered during the | 30
year 1893, which in turn exceeded the number of the preceding year by about the same percentage.

This | increase during the last year may to some extent 40
be attributed to changes in the heads of some of the | 50
departments, which created vacancies to be filled from the civil service lists, but it is also due in part, I | have no 1 min.
doubt, to the growing familiarity on the part of the public with the nature of civil service examinations | and regula- 10 sec.
tions. The deep-rooted prejudice, which has to a great extent blocked the progress of the merit system, second | 20
only to the desire for spoils in its pernicious influence, viz., that the examinations are designed to give preference to | 30
those with purely scholastic accomplishments, to the detriment of those of general intelligence and business capacity, is slowly but surely | giving way as the various 40
examinations are becoming familiar to the public. The statement may be made, subject only to | very limited ex- 50
ceptions, that any one with special qualifications for the civil service will almost invariably secure in these examinations | the preference to which he is entitled. 2 min.

For example, this year in the examination for general clerkships, which is assailed | more than any other by this 10 sec.

criticism, the person who succeeded in getting at the top of the list in | a competition of 188 applicants, had been 20
 filling a clerical position in one of the State departments | 30
 for some time. Last year this distinction was achieved by
 a veteran, who for years had been engaged in business | 40
 pursuits.

In both of the examinations were many just from school, and not a few graduates of business schools and | colleges. 50
 Other examinations might be instanced which show the same results.

Appointing officers are coming to recognize this from their | favorable experience with persons selected from the 3 min.
 eligible lists, and the only criticism to be heard from that source, generally, | is relative to the veterans, to whom the 10 sec.
 law gives a preference to which their ability does not entitle them. | 20

Surrounded by such evidence the merit system speaks a more intelligent and powerful argument for its existence than can be | expressed in rhetorical flourishes or 30
 pedantic essays. 35

Sheet 3.—Dictation at 120 words per minute.

Under the charter of the city of Buffalo there is a department of public works, within which there is a | bureau of 10
 building. The head of the department of public works is the board of public works, composed of three | commis- 20
 sioners. The bureau of building, under the board of public works, has charge of the construction, alterations and repair of | all buildings in the city. 30

The charter provides that the board of public works shall appoint inspectors of buildings, who | shall be under 40
 the control of the head of the bureau of building, and that such inspectors shall be practical | building mechanics of 50
 not less than five years' experience in their trade.

As has been stated, the board of aldermen | base their (1) 60
 refusal to order a warrant drawn in favor of the relator upon the sole ground that the relator | at the time of his 10
 appointment was not, and is not now legally qualified to

fill the position of building | inspector, because, as they 20
allege, he was not then and is not now, a "practical build-
ing mechanic of not less | than five years' experience in 30
his trade."

In my opinion, the attitude of the board of aldermen is
not justified | for two reasons, either of which is conclusive 40
against them. The first reason is, that, as matter of fact,
the | relator is, according to the papers presented, a practical 50
building mechanic of not less than five years' experience
in his | trade; and the second is, that, as a matter of law, (2) 60
ineligibility for the position cannot be established in the | 10
way the board seeks to accomplish that end.

The words of the charter prescribing the qualifications
of an inspector of | buildings should receive such reason- 20
able interpretation as will make them effective for the
accomplishment of the ends sought, and that | is, among 30
other things, to exclude from the position in question inex-
perienced, unskilled, unfit and incompetent persons, and
to secure | the services of persons having a practical knowl- 40
edge of the construction of buildings; and it would seem
that the qualifications | of the relator, as disclosed in his 50
own affidavit, which is conceded to be true by not being
denied, are | of a high order, and that he is fully competent (3) 60
to pass upon the character and quality of all the | material 10
and workmanship which enter into the construction, alter-
ation and repairing of buildings of all kinds.

It seems to me | that his description of himself and of 20
his qualifications pictures to the mind a practical mechanic,
who is especially skilled | in the art of building, and 30
acquainted with the rules and methods observed and pur-
sued by those engaged in constructing, | altering and 40
repairing buildings of all kinds, and possessing the skill to
apply those rules and to adopt and follow | those methods. 50

Sheet 3.—Dictation at 120 words per minute.

Within thirty days after the passage of this act the Gov-
ernor of the State shall appoint two attorneys and coun-
sellors- | at-law justices of the court established by this act, 10

and shall cause the certificate of such appointment to be | filed in the office of the clerk of Kings county. Within
 20 ten days after appointment a person so appointed justice | must subscribe and file the constitutional oath of
 30 office with said clerk; if he fail so to do the Governor | may appoint a justice in his place and stead. Justices so
 40 appointed shall hold office until December thirty-one, nineteen | hundred and one, inclusive. At the general election
 50 held in the county of Kings, next preceding the expiration
 (1) 60 of the | term of office of said justices, as hereinabove provided, successors in office of such justices shall be chosen
 10 for the | term of six years. Thereafter the term of office
 20 of the successors in office of such justices shall be six | years, and all such justices shall be chosen at a general
 election in such county.

30 The justices of said court | shall appoint the clerk thereof, two deputy clerks, two assistants, two interpreters,
 40 two stenographers, and six court officers; in addition | to said six court officers each justice of said court shall have
 50 power to select and appoint one person to | be a court officer as his confidential officer and attendant; all court
 (2) 60 officers appointed pursuant to this act shall possess | the powers of officers designated by sheriffs to attend upon
 courts.

10 Each of the justices of said court shall receive | a salary of nine thousand dollars per annum; the clerk of said court
 20 shall receive a salary of four thousand | dollars per annum; each deputy clerk of said court shall receive a salary of
 80 twenty-six hundred dollars per annum; | each assistant shall receive a salary of twenty-one hundred dollars per
 40 annum; each stenographer shall receive a salary of | three thousand dollars per annum; each interpreter shall receive
 a salary of fifteen hundred dollars per annum; and each
 50 court | officer shall receive a salary of twelve hundred dollars per annum; each court officer designated and
 (3) 60 appointed as personal and | confidential officer and attendant of a justice of said court shall receive an additional
 10 compensation of eight hundred dollars per | annum for

such extra and additional services as may be required of him. All salaries provided for by this act | shall be paid 20
in equal monthly payments.

Sheet 4.—Dictation at 150 words p-r minute.

The supervisory Board feels that this report would hardly
be complete, without some explanatory remarks on the
general working of the Civil Service Law, and | the regu- 10
lations framed under it, as regards the two departments
concerning which the inquiry is made. The board have
introduced three changes into the examinations | since the 20
law took effect in August last. The first is the competitive
system, which the law makes imperative; the second is the
physical test, | and the third is the general intelligence 30
test. In putting the competitive system in force the board
have assumed that the Legislature recognized the failure | 40
or inadequacy of non-competitive or pass examinations as
tests of fitness for the public service, or as means of ex-
cluding favoritism or political influence | in the bestowal 50
of offices. The severity of a pass examination must always
depend on the discretion of the examiners, and no difficulty
has ever | been found anywhere in making the standard 1 min.
low enough for anybody whose success was desired by the
appointing power. The pass examination pre-scribed by
the | act of Congress of 1853 for admission to certain 10
branches of the Federal service has always been a some-
what notorious mockery. Nobody, we | believe, has been 20
rejected under it whom the appointing officer wished, for
any reason, to succeed. The competitive system, when
fairly carried out, throws open | the public service to all, 30
by giving every one who presents himself for examination
a legal right to have his qualifications compared with those
of | every other candidate, and a legal right to the place 40
in case they prove superior to those of other candidates.
In other words, it deprives | the examiner of the power of 50
arbitrary selection, and converts him into a judicial officer
charged with the duty of finding out which of all | those 2 min.
who desire the office is best fitted to fill it.

The Board have also assumed that it was the intention of the Legislature in | prescribing the competitive system to 10
 secure for the city the best service attainable; that is, the
 best of such candidates as presented themselves to fill | 20
 vacancies. The duties of a policeman or fireman require a
 certain amount of intelligence, combined with bodily
 vigor, which a good many men possess. That | is to say 30
 there are a good many men who are intelligent enough
 and strong enough physically for the ordinary demands of
 these very important | services, but there are among these 40
 various degrees both of intelligence and bodily strength or
 dexterity, and the board have acted on the theory that | 50
 the law intends that the city shall always secure for every
 vacancy the candidate who possesses them in the highest
 degree, thus supplying the principle | which governs every 3 min.
 private employer of labor. No such employer contents
 himself with a man who is merely adequate to the usual
 requirements of the | situation, if for the same pay he can 10
 secure one who is in most respects better and is able,
 not only to meet these, but | to meet extraordinary 22
 emergencies.

Sheet 4.—Dictation at 150 words per minute.

Section 7. Each bidder to | whom a contract is awarded 10
 as hereinbefore provided must give security for the faith-
 ful performance of his contract in such sum as shall be
 prescribed | by the commissioners of the sinking fund and 20
 the commissioner of street improvements of the twenty-
 third and twenty-fourth wards in the manner | prescribed 30
 by the ordinances of the common council of said city
 applicable to similar work, and the adequacy and sufficiency
 of this security shall, in | addition to the justification and 40
 acknowledgment, be approved by the comptroller. If the
 lowest bidder for any contract shall neglect or refuse to
 accept the | contract within five days after notice that the 50
 contract has been awarded to his bid or proposal, or if he
 accepts but does not execute | the contract and give the (1) 60
 proper security, the said contractor shall forfeit the money

deposited by him at the time of making his bid as | herein- 16
 after provided, and the said contract shall be readvertised
 and relet as hereinbefore provided. No bid shall be
 accepted from, or contract awarded, to any | person who is 20
 in arrears to the corporation upon debt or contract, or who
 is a defaulter as surety or otherwise upon any obligation to | 30
 the corporation. Every bidder as a condition precedent to
 the reception or consideration of his proposal shall deposit
 with the comptroller a certified check, drawn | to the 40
 order of said comptroller upon one of the state or national
 banks of said city, or money (such check or money to
 accompany | the proposal) to such an amount, not exceed- 50
 ing five per centum of the amount of the required security
 for the faithful performance of the contract | bidden for, (2) 60
 as the aforesaid commissioners of the sinking fund and the
 commissioner of street improvements of the twenty-third
 and twenty-fourth wards shall | determine and prescribe. 10
 Within three days after the decision as to who is the lowest
 bidder, the comptroller shall return all deposits to the
 person | making the same, except the deposit made by the 20
 lowest bidder, and if the said lowest bidder shall refuse or
 neglect within five days after | notice that the contract has 30
 been awarded, to execute the same and give the proper
 security the amount deposited by him shall be forfeited to | 40
 and retained by the said city as liquidated damages for
 such neglect or refusal and shall thereafter be appropriated
 to and expended in the erection | of the building herein 50
 provided for, but if the said lowest bidder shall execute the
 contract, and give the proper security within the time
 aforesaid, | the amount of his deposit shall be returned to (3) 60
 him.

Section 8. The said contracts, when executed, shall be
 carried out according to their terms, | under the direction 10
 and supervision of the commissioner of street improve-
 ments of the twenty-third and twenty-fourth wards.

Sheet 4.—Dictation at 150 words per minute.

The needs of our public schools is a subject that should commend itself to our most careful attention. That physician who makes the best study | of his case is most likely to give aid to his patient. And so, if we commissioners can find the ailment of the educational system | we can more easily find a remedy for that ailment.

In the few thoughts that I shall advance, I shall confine myself principally to that | department of our public school system known as the rural schools. It shall be my aim to give what I believe to be their needs, | and to set forth a method of helping them.

In studying this subject we have to do with five different factors, first, the child, second, | the subject matter, third, the agent that brings child and subject-matter together, or, in other words, the teacher, fourth, the manner of bringing child | and subject-matter together, which is called method, and, fifth, such necessary adjuncts as the text-books, apparatus, library, and so forth.

In the papers | and discussions which have preceded, the child has been considerably discussed, as to whether it should be compelled to attend school or not, conveying it | to larger schools, and so forth. Therefore, these remarks will be directed toward the last four.

Probably no one will dispute me when I say | that reading, spelling, writing, language, arithmetic, geography physiology and hygiene should enter into every common-school course. Many would add to this list; none would | take away.

Reading is the most important subject in the common-school course.

During the past year I have heard almost every pupil in my | district read. My observations show me that the greatest need in my district is above the primary grade, lying chiefly along three lines: First. In | a large number of schools the pupils had much trouble in pronouncing the words, the teacher or some pupil pronouncing from three to ten words | in every verse, and in some schools at least one-third of the words in the paragraph were unknown.

- 20 Second. Pupils read without expression and | in that sing-
 song way so prevalent in the rural schools. Indeed, I am
 especially interested in trying to do away with this kind
 30 of | reading. All my life must I struggle against wrong
 habits of reading, learned in the rural schools; and never,
 40 I fear, shall I entirely break | from them. It seems to me
 this could be helped by having a first-class teacher at the
 50 institute, who should instruct the teachers in | reading, by
 teaching them to read well one or more selections of prose
 and several of poetry. Third. But bear in mind that how-
 (3) 60 ever important | it may be to read aloud fluently and well,
 the chief aim is to be able to get and retain the thoughts
 10 from the printed | page. It is at this point that pupils
 fail more than at any other. Can it be done? It can, and
 20 to a surprising degree. | How? Make every reading exer-
 cise a thought lesson. Hold the pupil responsible for
 the thought of every lesson. At first he finds it hard,
 30 but | gradually acquiring strength, by the continually
 repeated effort, he can, after a while, read a piece once and
 40 be able to give in his own | words the substance of the
 article. What have you done when you have given the
 50 child this power? You have given to him the key | that
 will unlock the door to knowledge. History is easy to
 him. The sciences are at his command. In fact, there is
 (4) 60 nothing in a | literary education but that is within his reach.

Sheet 5.—Arithmetic.

1. Express in words, \$5,928,867.62; 55,055.055; in Roman notation, 1904; in Arabic notation, ninety-nine thousand and ninety-nine ten-thousandths.

2. Copy the following numbers, and find their sum: 3842159.56; 769854.07; 27965.70; 4420064; 5000862.03.

3. A man earns \$24 a month. His rent takes $\frac{1}{4}$ of it; his living $\frac{1}{3}$, other expenses $\frac{1}{6}$, and he saves the rest. How much can he save each month?

4. A drover bought 78 sheep for \$2.46 a head. He sold 29 for \$4.37 $\frac{1}{2}$ apiece, and the remainder for \$3.87 apiece. Did he gain or lose, and how much?

5. A man sold 156 quarts of chestnuts at 9 cents a quart, and took in exchange peaches at \$1.08 a crate. How many crates of peaches did he obtain?

Sheet 5.—Arithmetic.

1. Express in Arabic notation, forty-two hundred and forty-two hundredths; in Roman notation, 1929; in words, 3,003,030.333; \$42,423,864.37½.

2. $\$28642.03 + \$264932.20 + \$3462983.10 + \$632.02 + \$84320.02 = ?$

3. A man owes a debt of \$24. He pays $\frac{1}{6}$ the first month, $\frac{1}{4}$ the second, $\frac{1}{3}$ the third, and the remainder the fourth. How much did he pay the fourth month?

4. A farmer sells 13 dozen eggs for 17 cents a dozen, and takes in exchange 16 pounds of butter at 29 cents a pound. How much cash does he pay?

5. A merchant buys 156 yards of broad cloth for \$175.90; and 68 yards satin for \$49.30. How much more did the broad cloth cost per yard than the satin?

Sheet 6.—Exercise in Typewriting.

Directions.—Make a typewritten copy of the following table:

Moneys advanced and refunded which had been previously paid or were to be paid into the treasury.

ELECTRICAL SUBWAY COMMISSION, BROOKLYN.

Salaries of commissioners	\$6,000 00	
Salary of secretary	1,999 92	
Compensation to inspectors	2,400 00	
Rent of office	1,008 00	
Counsel fees and court expenses.....	1,436 93	
Printing and other expenses	2,186 11	
	<hr/>	\$15,030 96

INSPECTOR OF GAS METERS.

Salary of inspector	\$5,000 00	
Salary of deputy inspector.....	4,500 00	
	<hr/>	9,500 00

COUNTY TREASURERS.

Taxes on nonresident lands returned to the Comptroller and admitted, also payments made in the adjustment of State tax..... \$118,042 94

REFUNDED.

Redemption of land sold for taxes	\$881 95	
Erroneous payment of taxes	2,065 33	
	<hr/>	\$2,947 28
Refunding tax on organization of corporations	1,419 50	
Refunding tax on corporations	6,095 00	
	<hr/>	
Amount carried forward	\$10,461 78	\$11,320,676 27
	<hr/>	<hr/>

Sheet 6.—Exercise in Typewriting.

Directions.— Make a copy of the following table :

RECEIPTS.

Schedule of moneys received in the treasury during the fiscal year ending Setepmber 30, 1895.

TAXES.

State taxes of 1894	\$4,521,624 26
Tax on corporations	1,857,343 25
Tax on organization of corporations	258,464 60
Tax on inheritances	2,126,894 61
	<hr/>
	\$8,764,326 72

FEES OF PUBLIC OFFICES.

Secretary of State	\$29,146 35
Comptroller	1,105 83
State Engineer and Surveyor	50 10
Clerk of the Court of Appeals	3,562 15
Railroad Commission	261 80
	<hr/>
	34,125 73

FINES, FEES, DUTIES, ETC.

Fees of notaries.....	\$35,466 25	
License fees from common carriers		
for sale of liquors, etc.....	7,140 00	
Fees for privileges, etc., at Niagara		
State Reservation	7,458 08	
Fees for peddler's license.....	10 00	
Salt duties	30,967 52	
Fines under dairy laws.....	3,036 12	
License for sale of convict-made		
goods	500 00	
		<hr/>
		\$84,577 97
Amount carried forward.....	\$8,883,030 42	<hr/> <hr/>

Sheet 7.—Letter-writing and Handwriting.

Directions.— Write a letter containing not less than 125 words to the New York Civil Service Commission, making application for the position for which you are being examined, stating your experience and qualifications therefor. Sign your examination number, not your name.

In marking the letter, errors in form and address, spelling, punctuation, capitals, syntax and style will be considered.

EXAMINATION FOR MEDICAL INTERNES (HOMEOPATHIC).

Held October 21, 1897.

1. Give the gross anatomy of the spinal cord.
2. Describe the origin and course of the brachial artery.
3. Give the branches of the abdominal aorta.
4. What is glycerine and how is it obtained?
5. What is the chemical antidote for arsenic?
6. What are the functions of the sympathetic nerve?
7. How is the heart affected by variations in the frequency and force of respiration?
8. For what symptoms would you administer silica?
9. How does the flatulency of *carbo. veg.* differ from that of *lycopodium*?

10. When giving digitalis in large doses what are its dangers?
 11. How would you determine whether a dead infant had been born alive?
 12. How would you manage a shoulder presentation?
 13. What is puerperal mania, and what are its causes?
 14. Describe the operation for removal of the veriform appendix.
 15. How would you perform tracheotomy?
 16. What is the treatment for dangerous chloroform narcosis?
 17. Give the differential diagnosis between cerebral hemorrhage and opium poisoning.
 18. Differentiate between catarrhal and croupous pneumonia.
 19. What are the symptoms, and what the treatment of acute parenchymatous nephritis?
 20. How would you tell the difference between an epileptiform and hysterical seizure?
-

EXAMINATION FOR MANUAL TRAINING INSTRUCTOR.

Held October 23, 1897.

Sheet 1.—Education and Experience.

1. Give your age, height and weight.
2. State in detail your education.
3. State in detail your experience in manual training work and instruction.
4. State reasons for severing your connection with your last employers.
5. Have you studied algebra, and if so, how far did you advance in it?
6. Have you studied geometry, and if so, how far did you advance in it?

Sheet 2.—Arithmetic.

1. Extract the square root (correct to two decimal places) of 62,476.

2. Find the number of square yards in the four walls and ceiling of a room $16\frac{1}{2}$ feet long, $13\frac{1}{2}$ feet wide and 9 feet high, making no allowance for openings.

3. Find the contents (in gallons) of a vat 6 feet long, $2\frac{1}{2}$ feet wide and 18 inches deep.

4. Find the solid contents of a sphere whose diameter is 5 feet.

5. Find the curved surface of a cylinder 3 feet long and 15 inches in diameter.

Sheet 3.—Manual Training.

1. Write out a list of tools needed to equip a class of 15 pupils in joinery work.

2. Name the five groups of study comprising the curriculum of ordinary manual training high schools. Under the head of tool work what branches are usually taught in such schools?

3. Discriminate both as to aim and methods pursued between (a) manual training and technical schools; (b) manual training and trade schools.

Sheet 4.—Mechanical Drawing.

1. Cross-section a circle $1\frac{1}{2}$ inches in diameter with lines $\frac{1}{16}$ of an inch apart.

2. An elbow (to turn a right angle) is to be made for a cylindrical sheet-iron pipe $1\frac{1}{2}$ inches in diameter. Construct a pattern for the pieces of metal of which the elbow may be formed. No allowance to be made for laps or joints.

Sheet 5.—Free-hand Drawing.

1. Make a drawing of objects assigned.

EXAMINATION FOR INSPECTOR OF BUILDINGS.

Held October 23, 1897.

Sheet 1.—Experience and Personal Questions.

State truly the facts concerning yourself as follows:

1. Your age.....years.

2. Your education. What schools did you attend?.....
 For how long?
 To what grade did you attain?
3. Have you attended a trade or technical school?
 If so, what school?.....
 What trade or profession did you study for?.....
 For how long?
4. Did you serve an apprenticeship at any trade?.....
 If so, what trade?.....For how long?.....
5. Give in order the principal occupations you have followed since the educational period with length of time in each.....
6. Have you ever acted as inspector on any construction or engineering work?.....If so, on what work or works, and what part of it did you inspect, and for how long?.....
7. Have you been a master or foreman or employer of labor?If so, state the nature of the work and the number of men under your charge.....
8. What is your conception of the duties of an inspector on public works,
 (a) in reference to the specifications of the contract?.....
 (b) in reference to the officer under whose orders he acts?
 (c) in reference to the rights of the contractor?.....

Sheet 2.

1. Name the materials used in making concrete to be used under water.
2. What proportions should be used of such materials for good concrete?
3. How should a stone wall be bonded?
4. How should ashlar be bonded in with backing stone or brick?
5. Describe or sketch a lewis and tell its use.
6. What is the rise of an arch?
7. Of what use are footing courses under a wall?
8. Give ingredients and proportions of materials for good mortar for brick or stone masonry.
9. How should ends of timbers in brick walls be framed?

10. Describe or sketch a timber trimmer header and tail beam.
 11. What is a wall plate and how should it be secured to the wall?
 12. Of what use is bridging in floor framing?
 13. Describe the proper manner of grouting brickwork.
 14. Describe the various kinds of anchoring used in brick walls.
 15. State the essential requirements for flues and their linings.
 16. Describe the various kinds of roofing and the manner of putting same in place.
 17. Describe the best methods of determining the quality of:
(a) lime; (b) stone; (c) brick.
 18. Make a drawing of a typical system of plumbing showing sewer, house-trap and vent, drain, soils, wastes, traps, vents and fixtures.
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EXAMINATION FOR PAGE.

Held at Albany October 23, 1897.

Sheet 1.—Spelling.

- | | |
|-------------|---------------|
| 1. letter | 14. borrow |
| 2. door | 15. open |
| 3. New York | 16. window |
| 4. capitol | 17. eleven |
| 5. twelve | 18. Troy |
| 6. pencil | 19. Hudson |
| 7. Monday | 20. October |
| 8. school | 21. pound |
| 9. Albany | 22. Friday |
| 10. street | 23. quart. |
| 11. city | 24. dollar |
| 12. office | 25. December. |
| 13. money | |

Sheet 2.—Letter-writing and Handwriting.

Write a letter, addressed to the Governor, applying for the position of page.

Sheet 3.—Arithmetic.

1. Write in figures the following: thirty million, sixteen thousand, eight.

2. The number of prisoners confined at Sing Sing is twelve hundred and fifty-six, at Dannemora one thousand and eighty-nine, at Auburn fourteen hundred and ninety-nine; how many in all?

3. The total cost of the new Capitol is estimated at \$24,000,000. There has been already expended \$22,567,295. How much will be required to complete the building?

4. What is the total amount required to pay the salaries of members of Assembly, there being 150 members, the salary of each being \$1,500?

5. The President receives an annual salary of \$50,000. How much is this per month?

(An oral examination followed.)

EXAMINATION FOR COURT STENOGRAPHERS.

Held at New York City November 20, 1897.

Sheet. 1.—Dictation at 150 words per minute.

The plaintiff (the respondent here) instituted an action in the Municipal Court of Buffalo, in the month of September, 1895, to recover the value of certain stone which the complaint alleged was wrongfully taken by the defendant from the plaintiff and converted by the defendant.

The answer was a general denial of the plaintiff's title and of the wrongful taking. On the 7th of November, 1895, the plaintiff recovered a judgment for sixty-two dollars, and on the eighteenth of that month the defendant (the appellant here) served a notice of appeal, stating that the defendant appealed to the Special Term of the Supreme Court from the judgment, describing it.

From the order of the Special Term affirming this judgment the defendant appeals to this court, where he is met with the objection of the respondent that the appeal cannot be entertained by this court, as the defendant having elected to appeal to the Special

Term instead of to the General Term, in the first instance, he is concluded | by the statute from taking an appeal to this court.

Prior to the enactment of chapter 805 of the Laws of 1895, | which took effect May 27, 1895, an appeal from the Municipal Court of the city of Buffalo was required by | the charter of the city to be taken to the Superior Court of that city, but by section 33 of that act it was | provided that appeals could be taken from the judgment of the Municipal Court "to the Supreme Court, Erie county, in the same cases, in the | same manner and with like effect as appeals are now had by law to the county court from judgments obtained in justices' courts, except that | in case of an appeal where a new trial is not demanded the appellant shall have the right to appeal to the Special or General | Term of said Supreme Court upon complying with the rules of said court relating to said terms, but shall specify his election in the notice | of appeal. But the appellate court may, in its discretion, set aside the judgment appealed from or stay proceedings thereunder, and by order direct a | new trial before said Municipal Court at such a time, specified in said order, and upon such terms as it deems proper."

A new trial | was not demanded upon the appeal in this case.

The appellant contends, however, that the legislature has absolutely provided for the right to appeal to | the General Term in such a case under the general provisions of the Code of Civil Procedure. Section 1347 of the Code of | Civil Procedure provides for appeals from orders of the Special Term, and is a general provision for appeals in the Supreme Court, and has no | application to an appeal from an inferior court where the Special Term is constituted an appellate court. The appellant's contention would secure to him the | benefit of two appeals in the Supreme Court, a thing unknown to our jurisprudence. The statute authorizing the appeal to the Supreme Court, and the | only authority for such an appeal, gives the party aggrieved the option to appeal either to a Special Term or to the General Term (now | the appellate division), but confers no authority to appeal to the appellate division if defeated at the Special Term. Section 1340 of the Code | of Civil Procedure provides that "except appeals from inferior and local courts heretofore heard in the Superior Court of Buffalo, an appeal may be taken | to the appellate division of the Supreme Court. Appeals from

inferior and local courts heretofore heard in the Superior Court of Buffalo may be taken | to the Supreme Court." This section does not conflict with the provisions of the Buffalo city charter as to appeals above referred to.

And if | this section of the code may be regarded as in conflict with section 33 of the Buffalo charter, the latter being a special or | local law, is not repealed by the former, for the reason that a general statute will not be regarded as repealing or modifying a special | or local one unless the intention so to do is clearly expressed, or unless such repeal must follow by necessary implication, which is not the | case here.

The amended constitution of this State took effect January 1, 1895, except as therein otherwise provided. By section 5 of article | 6 of the Constitution the Superior Court of the city of Buffalo was swept out of existence after the 1st day of January, 1896. |

Sheet 2.—Dictation at 175 words per minute.

Gentlemen of the Jury: In deciding this case you will remember that the plaintiff has to satisfy you that the propositions which she makes are sustained by satisfactory evidence. Unless she can satisfy you that the village of Glens Falls has been guilty of some negligence, by which she suffered injury, and that she herself was free from all fault, your verdict must be for defendant. If the evidence does satisfy you of those things, and that she has suffered substantial damages, your verdict may be for the plaintiff for such sum as you think she is entitled to.

You should not render a verdict for plaintiff because you have an idea that a village corporation is bound to protect the lives and limbs of the people who pass along the street. That is not true. The village of Glens Falls is bound to use only reasonable precaution to keep the streets and sidewalks in fair condition, so that people may walk along the sidewalks and along the streets with a reasonable belief that they are safe in so doing. In other words, it is for negligence that the plaintiff sues, viz., that the village authorities did not use reasonable care, reasonable diligence to keep this sidewalk in question in such condition that pedestrians could safely go over it. Now, what is the duty

of the village? If there is a defect in a street or sidewalk, and somebody notifies the village authorities of that defect, then the duty may immediately devolve upon those authorities to attend to that defect. As in the case of a town, if a couple of planks in a bridge were broken through, and somebody should immediately notify the commissioner of highways, you see it would be his duty at once to take care of the bridge, so that there would be no accident; but if nobody notified him, you see it is just for him to have a reasonable time to find out that there was a hole there, so that he would have reasonable time to take care of the bridge. So with the village of Glens Falls; a reasonable time should be allowed for notice before the duty is cast on the authorities to take care of a defect, especially in a village of 10,000 inhabitants. If it was in a remote part of the village, the authorities would not be so likely to know of the defect, but if on a principal street they might more readily know of it, and the duty would be more promptly thrust upon them.

There is only one item of negligence charged by the plaintiff against the village, and that is, that on the 16th day of January, 1895, in front of Mr. Ferriss's residence on Bay street, there was a strip of ice on the sidewalk about two feet wide and four or eight feet long, according to the testimony of the five witnesses who have sworn to its condition. Otherwise the sidewalk was in perfect condition, no fault to be found with it. For all that appears in the case, the sidewalk was as perfect as it could be, with this possible exception. The plaintiff claims that on that strip of ice she fell and sustained injuries which will more or less incapacitate her during the remainder of her life.

Now, what was the duty of the village of Glens Falls as to that piece of ice? It is the duty of the village authorities to keep the sidewalks of the village in a reasonably safe condition, and where they become in a condition which is dangerous, it is their duty, as soon as they have direct notice, or a reasonable time has elapsed so they ought to have notice by their own supervision of the streets, it is their duty to see that the sidewalk is put into such condition as to be reasonably safe for human beings to pass over. To apply the rule to this case is the difficulty here.

The plaintiff by five witnesses produces evidence that that strip of ice had been there from two to four weeks, and on that fact rests her claim to charge liability against the village. If she is right, and this testimony is satisfactory to you, then, gentlemen, I say to you that you have a right to consider the question whether the village was negligent in not caring for that ice, so as to make the sidewalk reasonably safe for pedestrians. If, however, you are not satisfied from the testimony given by plaintiff's witnesses that that ice did remain there, substantially that same strip of ice, from about two to four weeks, at least about two weeks, then I charge you that defendant is not liable in the case, for there is no evidence in the case which is of a satisfactory character, of the formation of that ice within a period of less than two weeks, which would throw any responsibility on the defendant. If the ice came from a fall of rain a few days before, or from a thaw in the middle of the day three or four days before, defendant is not liable, because that is not the claim which plaintiff makes.

Sheet 3.—Dictation (technical terms, etc.)

* *Witness:* I have forgotten what the cargo was; it was seed or hard grain of some kind. I do not remember whether it was flaxseed or not. We commenced to unload her somewheres around 11 o'clock, I am not certain; I think it was just before dinner. I had about fifty-five or sixty scoopers in my employ. My duties as foreman or boss was to put the gang of scoopers to work and unload the grain out of the hold of the steamboat or barge, or whatever it is, and into the elevator. The grain is taken out of the vessel into the elevator by a marine leg put in one of the hatches and the steam shovel pulls it up to the leg; men stand upon the steam shovel, follow it up until it gets probably three hundred bushels or four hundred around the leg; then they throw off the steam shovel and the men shovel the balance in by hand. I was in charge of the unloading of this vessel on this day and O'Toole was shoveling grain, scooping.

Q. How much had you unloaded; how much of her had you unloaded, if you remember, at the time he was injured?

A. Well, we took a dip out of her aft and went in the second forward hatch; I believe we had her bow cleaned out; going to turn the shovels around amidships when this thing happened. That is the other quarter; the other side of the leg. We had the grain or seed, or whatever it was, taken out from between decks. That was the whole length of the vessel as far as the boiler house. There was a bulkhead forward of the boiler house.

Q. That is, in front of the boiler house? A. Yes, sir.

Q. What were the crew doing?

A. They were sweeping up between decks and removing what they call dunnage—old tubs and those fenders they use when they drop ore in the hold of the boat; old boards, and there was a few toe-boards, one anyhow, and they piled them close to the hatch, and they were told not to put them there, it was dangerous; they said they would take care of them; they were told not to put them too close to the hatch.

Q. Who told them?

A. Some of the men; I told them myself that they were putting them too close.

By the Court:

Q. Not to put what?

A. This dunnage, the old traps they had to remove from the wing of the boat.

The witness resuming, says: A toe-board is something that is used for putting at the end of a gang plank so that a truck will run up. The gang plank is probably four inches thick, one end, and the toe-board is matched at one end to meet, and the other end is like a wedge where the trucks run up. It is probably two feet by three feet, something like that. I am not certain, I never measured it, and one end is probably four inches thick and is cut like a wedge at the other end, sharp, and the thick end is put up against the gang plank and the thin end runs out.

Q. Describe the other wound.

A. The other wound, the one on the left, passed through the skin, through the fourth dorsal cartilage.

Q. What do you mean by that?

A. That is the cartilage which joins the rib to the breast bone. Passed through the heart, through the left ventricle, or right ventricle of the heart—right auricle: through the aorta, which is the great vessel which carries the blood down through the body, and passed just to the right of the spinal column, between the fourth and fifth dorsal vertebrae, and was lost in the tissues of the back. The organs of the body, aside from this condition, were normal.

Q. What was the cause of death?

A. Cause of death was shock, from penetrating pistol shot wound of the heart, which I have described.

Witness: Pott's disease of the spine is a tuberculous disease, inflammation of the body of the vertebræ. In about ninety cases out of every one hundred it is tuberculous, and in the other cases it has probably a mixed complexion dependent upon syphilis or some other inherited disease, and in some rare instances said to be attributed to inflammation, the result of injuries. It is the accepted opinion generally, I think, among surgeons, that the inflammation is tubercular in character. In my judgment, a fall of itself alone in a healthy subject is not sufficient to produce Pott's disease; so that the natural result of a fall simply would not be Pott's disease. The existence of the germ in the body known as bacilli tuberculosis is necessarily superinduced upon the fall for the production of Pott's disease. That is imported from the outside. The earliest symptoms of Pott's disease are peevishness, fretfulness, and stiffness of the spinal column, pain upon the movement of the column, and an indisposition on the part of a child to take part in any play or exercise that calls upon him to play or to move the column. A disposition to lie across the mother's lap, or a table or across the floor prone, in order to get the best rest possible; worries and crying sometimes on any jar or misstep or false step of any other kind. A serious injury is not at all necessary for the production of Pott's disease. It may result and often does from an injury very slight, if at all. The process which produces the condition is this: The bacilli

get into the body usually through the mouth. The child inhales dust that is laden with bacilli or germs. These bacilli are inhaled, and they lodge in the air vessels along the track of the lungs, sometimes in what are called glands, in quantities which have been sometimes in a long time; these exist along the course of the pulmonary vertex. These germs are lodged dormant there until brought out by some exciting cause, such as impaired nutrition or ill health of some kind.

Sheet 4.—Exercise in taking testimony.

Personae.—Mr. Wood, for the plaintiffs; Mr. Lee, for the defendants; the Referee; the witness.

Mr. Wood.—We call Charles Williamson.

The Referee.—You solemnly swear that the testimony you give on the issues joined between the plaintiffs and defendants in this action shall be the truth, the whole truth and nothing but the truth, so help you God.

Mr. Wood:

Q. What is your name?

A. Charles Williamson.

Q. You are one of the plaintiffs in this action and the husband of Mary Williamson, sworn the other day.

A. I am.

Q. And you live on Campbell street?

A. Yes, sir; 90 Campbell street.

Q. You and your wife own the premises there?

A. Yes, sir.

Q. And you also own this Penn street property that had been spoken of?

A. Yes, sir.

Q. Do you recollect an occasion in '94, the fall of 1894, when you went to Mr. Dorthy's office?

A. Yes, sir.

Q. Do you recollect about what time it was, that is, what time of year?

A. Some time in November, 1894; I can't exactly remember the day.

Q. Who was present there at the office?

A. There was some two clerks, my wife and Mr. Dorthy.

Q. How long before that had you seen Mr. Dorthy?

A. The evening before that, Sunday evening before Monday morning we went to his office.

Q. What did Mr. Dorthy say on the Sunday evening before?

A. He asked my wife and me to come down to the office for to sign this mortgage; that Mrs. Lord died, and that she willed the mortgage of \$600 that Mrs. Lord held on Penn street property, and he wanted us to come down and sign to be willing to have Mrs. Lord's friend hold the mortgage; she willed it to her.

Q. Did you know Mrs. Eldred at that time?

A. No, sir.

Q. When did you first meet Mrs. Eldred?

A. The last day of last April.

Q. When did you first hear her name, as nearly as you can recollect?

A. That day; I might have heard tell of her name—yes, I take that back—I had heard tell of her name I think some time last July; I ain't certain.

Q. Had you heard Mrs. Eldred's name last July?

A. Not that I remember of.

Q. Had you heard her name at the time you were in Mr. Dorthy's office?

A. No, sir.

Q. Did you hear it that day?

A. No, sir.

Mr. Lee.—I object to this evidence with regard to the Eldred mortgage.

Referee.—The objection is overruled.

Mr. Lee.—I except.

Q. Did you receive any money that morning, or afterwards, for signing any bonds or mortgages that day?

Mr. Lee.—We object.

Mr. Wood.—I will withdraw that question.

Q. Did you receive any money that morning or afterwards?

Mr. Lee.—I object on the ground that the witness is incompetent and the question is immaterial and too general.

The Referee.—Objection overruled.

Mr. Lee.—I except.

A. No. ;

Q. Did you receive any money beforehand from Mr. Dorthy?

Mr. Lee.—I object to the question as incompetent and immaterial.

The Referee.—Overruled.

Mr. Lee.—Note an exception.

A. No, sir.

Q. With the exception of this twenty-five cents?

A. No, sir. ;

Q. Had you ever had any talk with Mr. Dorthy prior to this day with reference to giving a mortgage to him?

A. No.

Mr. Lee.—I object, same ground as before.

The Referee.—Overruled.

Mr. Lee.—I except.

Q. When did you first learn that there was such a mortgage?

A. I heard on the 3d of July, 1895, when I went home from dinner—to dinner, I mean to say.

Q. When did you first learn there was a mortgage of \$600 to Mrs. Eldred?

A. Some time in July, 1895; July or August, I can't say which; August or July. ;

Mr. Wood.—That is all.

Mr. Lee:

Q. Didn't he have a mortgage made for \$600 for that purpose to somebody?

A. Not that I know of.

Q. You do not know that a mortgage was made for that purpose and signed by yourself and wife?

A. No, sir; he told me he was to get it from the bank, but he never got it.

Q. He didn't get it from the bank?

A. No, sir; he told my wife and me when he was to get it; that Mrs. Lord was reconciled to give me the money at five per cent., and to give me the \$200 that he was to pay.

Q. Now, Mr. Williamson, Mrs. Lord never told you that it was never paid, did she?

A. Sure she did; it came from—

Q. She never told you that it was never paid?

A. No.

Q. And you don't know of your own knowledge it was never paid?

A. I don't, but by hearsay.

Q. And you have been made to believe it wasn't paid, have you?

A. I did.

Q. Now, you have seen this bond and mortgage in suit, haven't you?

A. Yes, I guess so.

Q. And you know whether the signature to the bond and mortgage is yours or not, don't you?

A. Well, I don't know.

Mr. Wood:

Q. Mr. Williamson, when was this talk with Mr. Dorothy with reference to getting \$600 to pay Mrs. Lord?

A. I can't exactly say; I think it was August, 1892, my wife paid him this \$200; I hadn't much conversation.

Q. That was at the time the talk was had about raising \$600 to pay Mrs. Lord?

A. We spoke about it in May, 1892, I guess, and he kept us from time to time until August; then he told us he couldn't get it.

Mr. Lee:

Q. That is, at the bank?

A. Yes.

Mr. Wood:

Q. What was the rate of interest to be on that \$600 mortgage?

A. Five per cent. at the bank.

Q. Did he ever talk to you about getting \$600 at five per cent., or any other sum, aside from the bank?

A. He said that Mrs. Lord was willing to give me money at five per cent.

Q. That is, to let your mortgage stand at five per cent.?

A. Yes, sir.

Q. When was the interest reduced on the Lord mortgage to five per cent.?

A. August, 1892; it fell in June, but it was in August, 1892, to get it out of the bank.

Q. And after that, did you say, there was a conversation about raising \$600 to pay off the mortgage?

A. No.

Sheet 5.—Questions as to the general duties of stenographers of courts of record.

1. What is the provision of the Code in regard to the size and binding of paper on which the transcript shall be made?

2. How long does the law require the stenographic notes to be preserved?

3. What is the rule in regard to the record of rulings or decisions of the presiding magistrate?

4. Who are entitled to copies of the record?

5. What should the record of a trial contain?

6. What is the rule in regard to noting exceptions?

7. How should a stenographer treat the verbal, grammatical and other inaccuracies on the part of those conducting the trial?

**EXAMINATION FOR TAX CLERK, ATTORNEY-GENERAL'S
OFFICE.**

Held December 11, 1897.

Sheet 1.

1. What is your age?
2. What was your general education?
3. Where did you study law, and how long?
4. When were you admitted to the New York bar?
5. How long have you been engaged in the actual practice of law?
6. Have you been engaged exclusively in any other business since your admission to the bar? If so, state details.
7. Where have you been located while engaged in law practice?
8. What has been the character of your practice?
9. Before what courts have you practiced?
10. Describe in detail any special experience you have had in "investigation and litigation of land titles, etc."
11. Give any other qualifications which, in your judgment, fit you for this position.

Sheet 2.

1. Name ten courts of record. State the difference between a court of record and one not of record. Describe the organization of the Supreme Court, and the division of the State into judicial districts and departments, mentioning the number of judges composing the Supreme court.
2. What are the formal parts of a deed? Name and describe the usual covenants in a full warranty deed.
3. A mortgaged two estates, No. 1 and No. 2, to B. A afterward mortgaged estate No. 1 to C to secure \$2,000 and later mortgaged estate No. 2 to D to secure \$500. On a sale of the property under a foreclosure of B's mortgage, the estates were sold separately, No. 1 for \$2,000 and No. 2 for \$2,000. B's total claim at the time of sale was \$2,000. What are the rights of C and D?
4. A and B make an agreement whereby A is to furnish the use of his land and B is to furnish the materials and labor, and

erect thereon a certain reviewing stand, for the purpose of renting seats on the stand to spectators of a procession. The profits of the enterprise are to be equally divided between A and B. C, having furnished certain materials and labor for the construction of this stand, brings an action against A and B, as partners, to recover for the same. Can he recover? Discuss the principles involved.

5. In the state of facts mentioned above, E suffers injuries through the breaking down of the stand and sues for damages, alleging and proving that the stand was negligently constructed. Can he recover against both A and B?

6. In 1885 A purchased from C certain real estate, giving a purchase-money mortgage for part of the purchase-money. In 1886 C assigned this mortgage to D, the assignment not being recorded. In 1887 A reconveyed the property to C and C afterward conveyed it to M, both deeds being duly recorded. D brings an action to foreclose the mortgage against the property. The defense is merger. For whom should judgment be given, and why?

7. A owning premises on the line of an elevated railroad, executed to the railroad company a release for a consideration of the easement or rights appurtenant to those premises, which had been taken or were affected by the maintenance and operation of the road, and all causes of action therefor past and future, and consented to a perpetual maintenance and operation of such road in front of the premises. This release was never recorded. Six months later the road being in full operation in front of the premises, A, still being the owner, conveyed the premises to the plaintiff by a full covenant deed. The plaintiff now sues the railroad company, asking for an injunction and damages for the obstruction of his "light, air and access." Discuss the questions involved.

8. To establish the contents of a lost will the plaintiff offers in evidence declarations of the testator of his intentions as to the disposition of his property and declarations made after the execution of the will as to its contents. Is the evidence admissible?

9. A railway yard containing a turn-table adjoins an open lot where young children from a neighboring school are in the habit of playing; the railway yard is unfenced and there is no guard rail about the turn table. Two of the children while playing on the turn-table are injured. What is the liability of the railway company for such injuries? What is the measure and duty of a landowner toward (a) a licensee of the landowner, (b) one who is on his land by invitation of the landowner, (c) a trespasser?

10. A cause of action accrues to A against B in January, 1880. In January, 1882, B leaves the State and goes to reside in Texas. B remains in Texas continuously till the year 1890, in January of which year he dies there. When will A's right of action against B be barred by the statute of limitations? What is the period of limitation of (a) an action for personal injury caused by negligence, (b) a suit for specific performance of a contract?

Sheet 3.

1. Give a brief history of the Tax Laws of the State of New York as enacted in the Revised Statutes and subsequent amendments thereto.

2. When was the present Tax Law enacted; under what circumstances; by what body reported to the Legislature, and to what extent was the general scheme of taxation changed?

3. When was the Forest Preserve created? What are the powers and duties of the Fisheries, Game and Forest Commission with reference thereto?

4. What, if any, is the difference between method of taxation of property of residents and non-residents? Where must the property of residents be taxed?

5. What is the difference between personal and real property for the purpose of taxation, and where must each be taxed respectively, with reference to its location and the residence of the owner?

6. Is there any difference in the method of assessment of the property of individuals and corporations, and if so in what respect?

7. What is the duty of the collector with reference to unpaid non-resident taxes, and what is the duty of the county treasurer in such cases in counties not forming part of the Forest Preserve?

8. What is the duty of the county treasurer with reference to unpaid non-resident taxes in counties within the Forest Preserve? What action may be taken with reference to such taxes, and by whom?

9. What is meant by cancellation of tax sale? By whom can such sales be cancelled and upon whose application? What is necessary to be shown to entitle a party to have sale cancelled?

10. Who may redeem property sold at tax sale and within what time? Is there any difference in the procedure where the land is occupied from that where there is no occupant at time of sale?

11. What are the principal defects which occur in tax titles, and how, if at all, may such defects be cured, and to what extent? What is a jurisdictional defect in a tax title, and to what extent can it be remedied?

12. How far is the deed of the Comptroller evidence of regularity of sale for taxes by the State, and what is necessary in order to give such deed validity as against a purchaser?

13. By whom are sales for unpaid taxes on non-resident property made, in counties other than those in the Forest Preserve?

14. In what way can erroneous or illegal action by a board of assessors be reviewed? What proceedings are taken on such review, and how conducted?

15. What is the nature and purpose of the so-called taxpayer's action, and to what extent is it available to prevent the collection of taxes or the payment of moneys by municipal corporations?

16. What proceedings may be taken to obtain the refund of a tax paid upon an illegal, erroneous or unequal assessment?

17. What proceedings are proper for the collection of a tax levied against a person who is a resident of the tax district where it is levied, where such tax is returned uncollected? Is there more than one remedy?

18. Is an injunction ever proper to restrain the collection of a tax? If so, under what circumstances?

19. In your opinion, should the tax upon personal property be abolished? If so, by what method should the taxes necessary for the support of the government be levied?

20. Point out such defects in the tax laws as at present constituted, as occur to you, or any amendments which may be desirable for the purpose of its better enforcement?

EXAMINATION FOR INSPECTOR OF SCHOOLS, REGENTS UNIVERSITY OF STATE OF NEW YORK.

Held December 28, 1897.

Sheet 1.—Education and Experience.

1. State your age.
2. Describe your education, giving schools attended, time spent in each, and grade attained.
3. In your college course and graduate work, if any, to what subjects did you give especial attention, and under what professors did you do special work? Describe the nature and amount of work in such specialties.
4. Describe in detail your experience in school teaching and administration.
5. Give names and addresses of persons best acquainted with your work and best qualified to attest its nature and value.
6. Name and describe any publications you have made on educational topics. State where they may be found. (If possible, copies of such publications should be filed with the chief examiner immediately after this examination.)
7. State any other facts which, in your opinion, specially qualify you for the position of inspector of schools.

Sheet 2.—History of Education.

1. Name an educational classic which is pre-eminently concerned with the training of youth for citizenship and summarize its most important arguments.

2. For what reasons and under what circumstances was Greek placed in the curriculum of the classical schools of Europe?

3. What change in the aims and methods of teaching the ancient languages began to attract attention about the beginning of the present century?

4. What are the chief contributions of Herbert and Froebel, respectively, to the modern practice of teaching?

5. Wherein did the psychology and pedagogy of John Locke tend to promote the study of the natural sciences?

6. When and for what reasons did schools for the common people first become imperative in Europe? To what extent did the same conditions obtain in America?

7. According to Herbert Spencer, what knowledge is of most worth? How does he defend his position?

8. Give a brief sketch of education among the Romans.

9. Give a brief sketch of the educational work of each of the following: (a) Socrates; (b) Seneca; (c) Fenelon; (d) Pestalozzi.

10. Compare the education of the eighteenth century with that of the nineteenth century.

Sheet 3.—Methods and School Economy.

1. (a) What is meant by the term "discipline," as related to teaching? (b) Define (I) education; (II) instruction; (III) training.

2. Outline a lesson in primary arithmetic.

3. (a) Do you think it advisable to use diagrams in teaching the analysis of English sentences? Give reasons for your opinion. (b) Write a short sentence and describe your method of teaching beginners in analysis, what is the subject and why, and what is the predicate and why.

4. In teaching geometry, should pupils be required to memorize the words of the demonstration? Give reasons for your answer.

5. Distinguish between inductive and deductive teaching.

6. (a) Draw a floorplan, on the scale of eight feet to the inch, of a study-hall suitable for the accommodation of 200 high school

pupils, and indicate thereon the arrangements for seating and heating. (b) Draw plans as above of the side walls which you would use for lighting, showing the location and dimension of the windows. (c) How would you heat and ventilate such a room? (d) How should such a study-hall be furnished and equipped to promote the best physical, intellectual and aesthetic interests of the pupils?

7. What reference books and apparatus would you recommend for teaching the history of the United States?

8. What texts, reference books and illustrative material would you recommend for the teaching of second-year Latin?

9. Give the subjects and time allotment which you would recommend in a four years' course in science, for pupils who do not intend to enter college.

10. Give an outline of a program suitable for a rural school.

Sheet 4.—New York Education and School Law.

1. Name ten State normal schools and give the county in which each is located.

2. Sketch the course of development of the high school in this State.

3. What important changes have been made in the curricula of secondary schools under the Regents of the University of the State of New York in the present century? When were such changes made and for what reasons?

4. Discuss briefly, from the beginning, the progress of education in this State in (a) elementary schools; (b) colleges and universities.

5. From your study of education in this State what suggestions can you make that will advance in effectiveness the work of training teachers.

6. (a) Discuss the relations of the normal schools to the other educational institutions of the State. (b) What is the true function of the normal school, and how nearly is that function realized?

7. Compare the educational system of New York State with that of any one of the nations of modern Europe with which you are familiar.

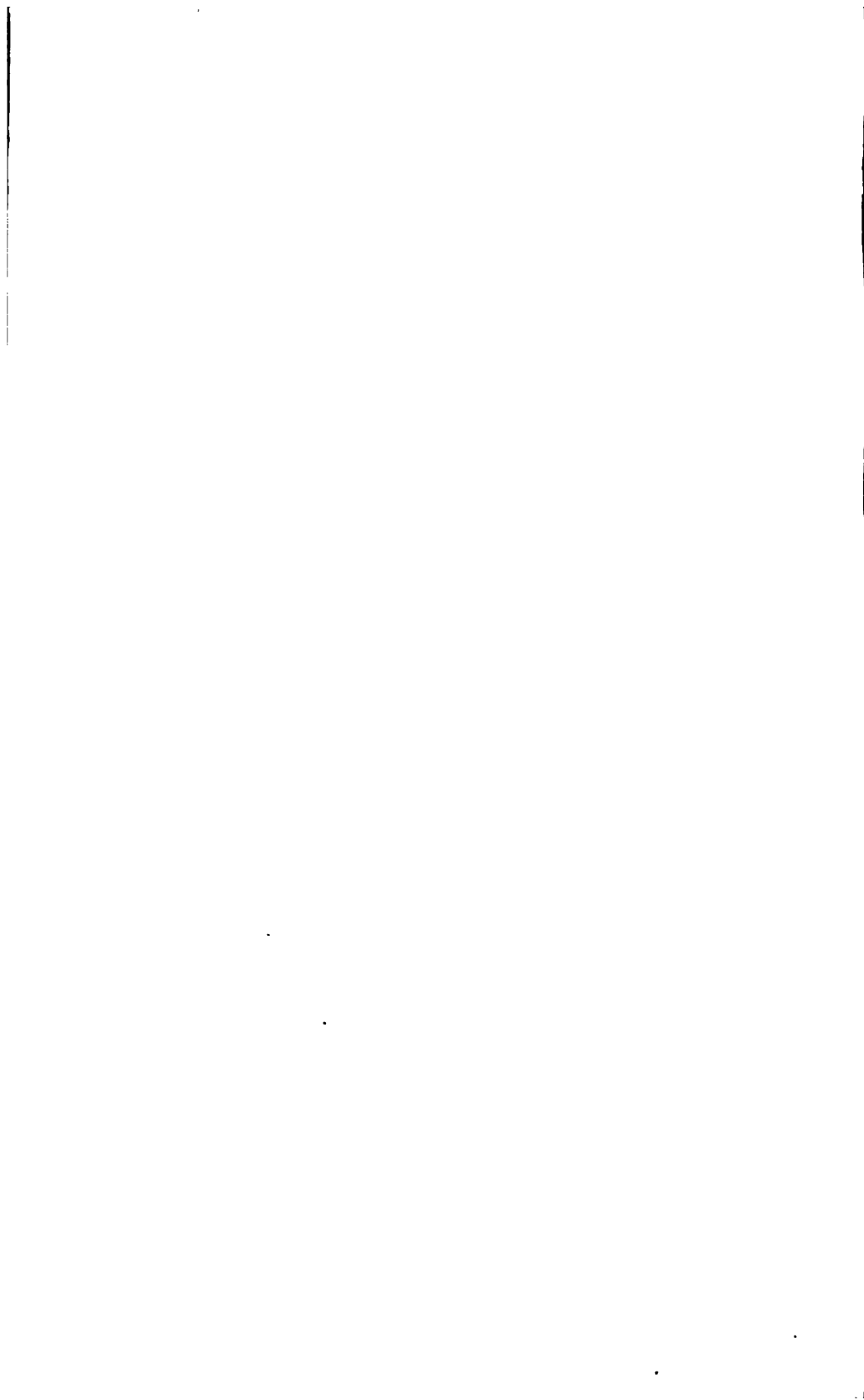
8. Who is at the head of the school affairs of the State? Of the county? Of the school district? Of the schoolroom? Give the general powers and duties of each.

9. By what right does a teacher inflict corporal punishment?

10. What, if any, changes in the school laws of the State would be of advantage, in your opinion? and why?

APPENDIX K.

Roster of State Employees.



APPENDIX K.

ROSTER OF STATE EMPLOYES.

Executive Chamber.

Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Governor	Frank S. Black	Jan. 1, 1897	\$10,000

Class I.

Private Secretary.....	William M. Griffith	Jan. 1, 1897	4,000
Military do	George C. Treadwell.....		2,000
Appointment Clerk.....	Thomas Newcomb.....		2,500
Pardon and Requisition Clerk.....	John T. Joyce.....		2,000
Executive Stenographer.....	Myron H. Hill.....		1,200

Class II.

Notarial Clerk	George Graves.....		720
Notarial Clerk and Stenographer.	Benjamin W. Smith		1,000
do do do	Margaret Gould		650
Messenger.....	William P. O'Connor		1,000
do	William J. Lamborn.....		600

Lieutenant-Governor.

Unclassified Service.

Lieutenant-Governor	Timothy L. Woodruff.....	Jan. 1, 1897	5,000
Private Secretary.....	Merton E. Lewis.....	Jan. 7, 1898	4,000

Secretary of State.

Unclassified Service.

Secretary of State	John Palmer.....	Jan. 1, 1894	5,000
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Class I.

Deputy.....	Andrew Davidson.....	Jan. 1, 1894	4,000
Second Deputy.....	Horace G. Tennant	Aug. 17, 1897	2,500
Confidential Clerk	Frederick G. Jewett.....	Feb. 1, 1896	2,200
Stenographer	Waldo L. Minton.....	Feb. 10, 1897	1,500

Secretary of State—(Continued).

Class II.

Position.	NAME.	Date of entrance into position.	Compensation.
Clerk, Land Department.....	Charles V. Hooper.....	Jan. 1, 1886	\$2,200
Examiner of Corporations	Frank White.....	Jan. 1, 1886	2,900
Assistant Examiner of Corporations	James W. Bentley	Jan. 1, 1894	1,800
Corporation Clerk	Charles McKallor	Jan. 1, 1894	1,500
Clerk of Statistics of Crime	William H. Ewell	June 10, 1894	\$4 per day
Corporation Bookkeeper	William S. Hale	Sept. 2, 1894	4 per day
Stenographer	Joseph S. Martin	May 1, 1894	\$1,200
do	Ida L. Woolworth	Jan. 1, 1893	1,200
do	Frances L. Walters	Dec. 10, 1894	900
Typewriter	Jeannie L. Dexter	Jan. 1, 1895	900
do	Elizabeth Barry	Jan. 28, 1895	900
do	Mabel Born	Dec. 13, 1894	900
Messenger	Jacob R. Terwilliger.....	Jan. 1, 1894	1,000
do	Isaac LaGrange.....	Jan. 1, 1894	1,200

Comptroller.

Unclassified Service.

Comptroller.....	James A. Roberts.....	Jan. 1, 1894	6,000
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Class I.

Deputy Comptroller.....	William J. Morgan.....	Jan. 1, 1894	4,000
Warrant Clerk and Second Deputy	Willis E. Merriman	Jan. 1, 1896	3,500
Confidential Clerk	George C. Lewis	Jan. 1, 1894	2,400
Stenographer	Frances J. Wade.....	July 1, 1897	900

Class II.

Accountant	William G. Shalble.....	Aug. 4, 1890	2,800
Special Accountant.....	Peter J. Masterson.....	Oct. 1, 1888	1,500
Entry Clerk	James A. Wendell.....	June 11, 1894	2,000
Voucher Clerk	William B. Wemple.....	Dec. 2, 1891	1,500
Corporation Tax Clerk.....	John J. Merrill.....	March 9, 1894	2,800
Assistant Corporation Tax Clerk.	Frank C. Vinton.....	May 1, 1894	1,800
do	Clark A. Blodgett.....	Jan. 8, 1894	1,500
do	James S. McPherson.....	Feb. 13, 1894	1,500
Law Clerk, Corporation Dept.....			
Commissioner of Corporations	Chas. S. Wilbur.....	Feb. 1, 1894	3,000
(New York).....			
Commissioner of Corporations	John R. Hazel.....	Feb. 1, 1894	2,400
(Buffalo).....	George R. Kehoe.....	Feb. 14, 1887	2,400
Chief Tax Clerk.....	William A. Bird.....	April 27, 1894	2,400
Assistant Chief Tax Clerk.....	George W. Blas.....	July 20, 1877	1,800
Bookkeeper, Tax Department.....	Marcus B. Williams.....	July 1, 1877	1,800
Tax Clerk	James G. Grindlay.....	Mar. 24, 1894	1,600
do	Frank H. Brandow.....	Feb. 21, 1894	1,500
do	Miles G. Graham.....	Feb. 1, 1893	1,500
do	S. L. Kahn.....	Feb. 15, 1894	1,500
do	Henry True.....	June 12, 1894	\$4 per day
do	Charles E. Minard.....	July 10, 1894	4 per day
do	B. Frank Raze.....	June 15, 1894	\$2,000
do	Norman R. Martin.....	June 18, 1895	1,350
Chief Clerk, Bureau Canal Affairs	George H. Birchall.....	Jan. 1, 1896	2,800
Clerk, Canal Affairs.....	Thomas W. Cantwell.....	June 10, 1890	1,700
do	George M. Spawm.....	Oct. 27, 1896	1,300
Confidential Clerk, Charitable Department.....	Byron M. Child.....	April 20, 1896	2,500
Estimate Clerk.....	Edward H. Underhill.....	Feb. 15, 1895	1,800
Assistant Estimate Clerk	Charles I. VanLiew.....	Aug. 1, 1894	1,800
Voucher Clerk	James Forsyth.....	Aug. 1, 1894	1,600
Clerk	John F. Kelly.....	Dec. 12, 1894	1,600
do	Mrs. Julia T. Ronan.....	Dec. 6, 1897	600
Bookkeeper	Herbert L. Austin.....	Jan. 7, 1897	1,400

Comptroller—(Continued).*Class II—(Continued).*

Position.	NAME.	Date of entrance into position.	Compensation.
Bookkeeper	Harry W. Brown.....	Jan. 11, 1897	\$1,500
do	James G. Hurty.....	Dec. 2, 1895	1,200
do	Frederick Schneider.....	Dec. 13, 1897	1,500
do	Andrew J. Nugent.....	May 15, 1894	1,500
Inheritance Tax Clerk	Edward H. Pinjar.....	Sept. 1, 1888	2,000
Assistant Inheritance Tax Clerk.....	George E. Dutcher.....	Jan. 9, 1894	1,400
Stationery and Document Clerk.....	Edwin D. Thompson.....	Jan. 1, 1886	1,600
Stenographer.....	Andrew D. Devine.....	April 25, 1890	1,400
do	Charles R. Webber.....	Feb. 1, 1896	1,400
Index Clerk.....	Mary K. Cox.....	Aug. 1, 1896	720
Messenger.....	Worthington S. Farley.....	Feb. 19, 1891	1,000
do	W. W. Bennett.....	July 9, 1896	900
Orderly.....	Joseph H. Allen.....	May 1, 1888	1,000
Leveler.....	Albert F. Krause.....	Jan. 1, 1897	1,800

State Treasurer.*Unclassified Service.*

State Treasurer	Addison B. Colvin.....	Jan. 1, 1894	5,000
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Class I.

Deputy Treasurer.....	J. Ledlie Hers.....	Jan. 1, 1894	4,000
Cashier.....	William H. Monty.....	Feb. 15, 1894	1,950
Confidential Clerk.....	John S. Hosmer.....	June 7, 1897	1,200

Class II.

Capitol Paymaster.....	Delcours S. Potter.....	Jan. 1, 1894	3,000
Chief Clerk.....	Charles W. Anderson.....	Jan. 1, 1894	1,500
Check Clerk.....	Isaac Blauvelt.....	July 16, 1891	1,900
Accountant and Transfer Officer.....	Richard G. Melks.....	Dec. 28, 1894	2,000
Corporation Clerk.....	James L. McArthur.....	Jan. 1, 1894	1,500
Warrant Clerk.....	Mitchell McFarland.....	Mar. 1, 1894	1,200
Messenger.....	Joe F. White.....	Jan. 1, 1894	1,000

Attorney-General.*Unclassified Service.*

Attorney-General	Theodore E. Hancock.....	Jan. 1, 1894	5,000
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Class I.

First Deputy.....	Gilbert D. B. Hasbrouck ..	Jan. 1, 1894	4,000
Second Deputy	John C. Davies.....	Jan. 1, 1894	4,000
Deputy	Frank M. Parsons.....	Jan. 1, 1894	3,000
do	James A. McCormick.....	April 24, 1894	3,000
Assistant for New York city.....	Clarence W. Francis.....	Jan. 1, 1894	3,000
Confidential Clerk.....	H. Lewis Jacobson.....	Mar. 5, 1894	1,200
Stenographer	William M. Thomas.....	Jan. 1, 1889	1,800

Class II.

Land Clerk.....	George C. Baker.....	Jan. 1, 1894	2,000
Financial Clerk and Assistant to	Michael H. Quirk.....	Jan. 1, 1894	1,800
Second Deputy	Edward H. Leggett.....	Jan. 1, 1896	1,800
Tax Clerk			

Engineer and Surveyor.

Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Engineer and Surveyor.....	Campbell W. Adams.....	Jan. 1, 1894	\$5,000
<i>Class I.</i>			
Deputy.....	Herschel Roberts.....	July 1, 1894	4,000
Division Engineer.....	De Witt C. Smith.....	July 17, 1894	3,000
do do.....	W. H. Gere.....	Jan. 15, 1894	3,000
do do.....	John L. Little.....	Apr. 23, 1895	3,000
Stenographer.....	T. C. Sweet.....	Apr. 1, 1898	1,000
<i>Class II.</i>			
Chief Clerk.....	John C. Batchelor.....	Jan. 2, 1894	3,500
Canal Clerk.....	Charles H. Whitbeck.....	Jan. 2, 1894	1,380
Clerk.....	Thomas Hattoone.....	Dec. 13, 1896	1,100
Stenographer.....	Mae F. Gledhill.....	Dec. 1, 1896	\$3 00 per day
Resident Engineer.....	John G. Taft.....	Oct. 8, 1897	\$2,400
do do.....	George A. Morris.....	Mar. 1, 1894	2,400
do do.....	C. R. Neher.....	July 15, 1896	2,400
First Assistant Engineer.....	T. C. Leutze.....	April 10, 1897	6 00 per day
do do.....	J. R. Kaley.....	Dec. 1, 1896	6 00 per day
do do.....	M. W. Wilbur.....	Jan. 2, 1894	6 00 per day
do do.....	Reeves Smith.....	Nov. 20, 1897	6 00 per day
do do.....	Guy Moulton.....	Nov. 20, 1897	6 00 per day
Assistant Engineer.....	George M. Briggs.....	Oct. 1, 1894	5 00 per day
do do.....	A. M. Evans.....	Feb. 6, 1894	5 00 per day
do do.....	H. C. Parsons.....	Feb. 14, 1896	\$2,000
do do.....	C. C. Heustis.....	Mar. 1, 1894	5 00 per day
do do.....	W. L. Lawton.....	Jan. 13, 1896	5 00 per day
do do.....	C. W. Trumbull.....	Jan. 13, 1896	5 00 per day
do do.....	M. H. Ranney.....	Jan. 13, 1896	5 00 per day
do do.....	Monroe Warner.....	Jan. 13, 1896	5 00 per day
do do.....	M. P. Quintana.....	Jan. 13, 1896	5 00 per day
do do.....	George C. Diehl.....	Sept. 13, 1896	5 00 per day
do do.....	M. B. Palmer.....	Sept. 13, 1896	5 00 per day
do do.....	David R. Lee.....	Sept. 13, 1896	5 00 per day
do do.....	C. E. Raynor.....	Sept. 13, 1896	5 00 per day
do do.....	George W. Rafter.....	July 23, 1895	10 00 per day
do do.....	Wallace Greenalch.....	Jan. 14, 1895	5 00 per day
do do.....	H. P. Gillette.....	Jan. 13, 1896	5 00 per day
do do.....	O. S. Wilson.....	Jan. 13, 1896	5 00 per day
do do.....	W. L. Curtis.....	Aug. 18, 1894	5 00 per day
do do.....	George E. Greene.....	Jan. 13, 1896	5 00 per day
do do.....	C. T. Middlebrook.....	Jan. 13, 1896	5 00 per day
do do.....	M. W. Brown.....	Nov. 11, 1897	5 00 per day
do do.....	A. T. Byrne.....	Jan. 11, 1897	4 50 per day
do do.....	Douglass Cornell.....	Nov. 11, 1897	5 00 per day
do do.....	F. H. Crafts.....	Nov. 11, 1897	5 00 per day
do do.....	Glen D. Holmes.....	Jan. 11, 1897	4 50 per day
do do.....	Elton H. Hooker.....	Nov. 11, 1897	5 00 per day
do do.....	Newton F. Hopkins.....	Nov. 11, 1897	5 00 per day
do do.....	Garrett O. House.....	Nov. 11, 1897	5 00 per day
do do.....	William B. Laudreth.....	Nov. 11, 1897	5 00 per day
do do.....	Foster B. Morse.....	Nov. 11, 1897	5 00 per day
do do.....	Arthur O'Brien.....	Nov. 11, 1897	5 00 per day
do do.....	W. W. Olney.....	Nov. 11, 1897	5 00 per day
do do.....	C. E. Phelps.....	July 12, 1897	5 00 per day
do do.....	E. D. Rich.....	Nov. 11, 1897	5 00 per day
do do.....	Paul L. Schultze.....	Nov. 11, 1897	5 00 per day
do do.....	Spencer J. Steward.....	Nov. 11, 1897	5 00 per day
do do.....	William N. Taintor.....	Nov. 11, 1897	5 00 per day
do do.....	E. H. Thomas.....	Nov. 11, 1897	5 00 per day
do do.....	W. J. Towne.....	Nov. 11, 1897	5 00 per day
do do.....	G. Clinton Ward.....	Nov. 11, 1897	5 00 per day
do do.....	Noble E. Whitford.....	Nov. 11, 1897	5 00 per day
do do.....	F. B. Clark.....	Dec. 7, 1896	5 00 per day
Leveler.....	M. A. McDermott.....	Jan. 3, 1896	4 50 per day
do do.....	Dorlon Clark.....	June 6, 1896	4 50 per day
do do.....	F. N. Sanders.....	June 1, 1894	4 50 per day
do do.....	F. S. Strong.....	Nov. 7, 1894	4 50 per day

Engineer and Surveyor—(Continued).

Class II—(Continued).

Position	NAME.	Date of entrance into position.	Compensation.
Leveler	F. E. Spinner	Jan. 13, 1896	\$4 50 per day
do	H. P. Willis	Jan. 13, 1896	4 50 per day
do	L. B. Jones	Mar. 1, 1894	4 50 per day
do	T. A. Hendrickson	Jan. 6, 1897	4 50 per day
do	F. J. Lempe	Mar. 5, 1894	4 50 per day
do	Chas. H. Flanigan	Apr. 7, 1893	4 50 per day
do	Edwin Styring	Dec. 5, 1887	4 50 per day
do	S. J. Steward	Jan. 13, 1896	4 50 per day
do	Fred W. Sarr	Jan. 13, 1896	4 50 per day
do	William A. Gere	Jan. 13, 1896	4 50 per day
do	James G. Tracy	Jan. 13, 1896	4 50 per day
do	E. A. Lamb	Sept. 3, 1894	4 50 per day
do	C. E. Hopkins	Jan. 13, 1896	4 50 per day
do	E. C. Clark	Jan. 13, 1896	4 50 per day
do	E. A. Sommer	Jan. 13, 1896	4 50 per day
do	Casper Scholz	Jan. 13, 1894	4 50 per day
do	Thomas J. Morrison	Jan. 25, 1896	4 50 per day
do	H. D. Alexander	Jan. 25, 1896	4 50 per day
do	George J. Lord	Jan. 13, 1896	4 50 per day
do	William Crennell, Jr.	Jan. 13, 1896	4 50 per day
do	D. D. Waldo	July 6, 1896	4 50 per day
do	H. K. Bishop	Mar. 13, 1896	4 50 per day
do	James Burden	Jan. 2, 1897	4 50 per day
do	S. G. Heater	Jan. 18, 1897	4 50 per day
do	William Kelly	Jan. 3, 1896	4 50 per day
do	C. H. Nichols	May 24, 1897	4 50 per day
do	L. B. Seabring	Feb. 15, 1897	4 50 per day
do	J. O. Shipman	Mar. 28, 1897	4 50 per day
do	Clark Brown	Jan. 18, 1897	4 50 per day
do	Louis Hall	Dec. 17, 1897	4 50 per day
do	H. J. Coupland	Dec. 17, 1897	4 50 per day
do	Rutger B. Green	Dec. 17, 1897	4 50 per day
do	R. J. Marcher	Dec. 17, 1897	4 50 per day
do	Fred F. Gordon	Dec. 17, 1897	4 50 per day
do	Warner W. Gilbert	Dec. 17, 1897	4 50 per day
do	Charles G. Moore	Dec. 17, 1897	4 50 per day
do	Lynn M. Scofield	Dec. 17, 1897	4 50 per day
do	Seth M. Van Loan	Dec. 17, 1897	4 50 per day
do	Frederick Edwards	Dec. 17, 1897	4 50 per day
do	Edward P. Folger	Dec. 17, 1897	4 50 per day
do	Alex. Haring	Dec. 17, 1897	4 50 per day
do	Carl L. Bannister	Dec. 17, 1887	4 50 per day
do	Edwin V. R. Payne	Dec. 17, 1897	4 50 per day
do	Irving Hawkins	Dec. 17, 1897	4 50 per day
do	Charles E. Cleaver	Dec. 17, 1897	4 50 per day
do	Joseph B. Barrett	Dec. 17, 1897	4 50 per day
do	B. E. Failing	Dec. 17, 1897	4 50 per day
do	Charles A. Sullivan	Dec. 17, 1897	4 50 per day
do	L. H. Ireland	Jan. 3, 1896	4 50 per day
do	Clarence A. Young	Dec. 23, 1897	4 50 per day
do	Sanford L. Vossler	Dec. 23, 1897	4 50 per day
do	Charles M. Edwards	Dec. 23, 1897	4 50 per day
do	Frank A. Snyder	Dec. 23, 1897	4 50 per day
Rodman	George Penfield	Jan. 3, 1896	3 50 per day
do	B. S. Fellows	Jan. 3, 1896	3 50 per day
do	Chas. E. Gordon	Jan. 3, 1896	3 50 per day
do	Frank Roberts	Jan. 13, 1896	3 50 per day
do	C. M. Pepson	Sept. 1, 1896	3 50 per day
do	R. S. Greenman	Dec. 1, 1896	3 50 per day
do	E. G. Blessing	Jan. 13, 1896	3 50 per day
do	O. J. Dempster	Jan. 13, 1896	3 50 per day
do	H. W. DeGraff	Jan. 13, 1896	3 50 per day
do	W. S. Jones	Jan. 13, 1896	3 50 per day
do	Perry Wilkins	Jan. 13, 1896	3 50 per day
do	Fred. J. Wagner	July 6, 1893	3 50 per day
do	L. K. Devendorf	Oct. 8, 1896	3 50 per day
do	James Browne, Jr.	Jan. 13, 1896	3 50 per day
do	M. S. Smith	Jan. 13, 1896	3 50 per day
do	G. D. Williams	Jan. 25, 1896	3 50 per day
do	E. W. Sayles	Jan. 13, 1896	3 50 per day
do	J. W. Howe	Dec. 1, 1896	3 50 per day
do	Isaac O. Cole	Dec. 1, 1896	3 50 per day

Engineer and Surveyor—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Rodman	L. W. Hall	Jan. 18, 1895	\$3 50 per day
do	S. D. Enuch	Dec. 1, 1896	3 50 per day
do	C. G. Douw	Jan. 18, 1896	3 50 per day
do	F. W. Hamilton	Jan. 18, 1896	3 50 per day
do	James Thompson	Jan. 18, 1896	3 50 per day
do	Carroll Blake	Mich. 24, 1897	3 50 per day
do	Ray Morris	Oct. 12, 1897	3 50 per day
do	Charles M. Smith	Feb. 1, 1897	3 50 per day
do	Frederick C. Grant	Dec. 17, 1897	3 50 per day
do	Clarence D. King-ley	Dec. 17, 1897	3 50 per day
do	J. Irving Gayetty	Dec. 17, 1897	3 50 per day
do	Charles A. Bradley	Dec. 17, 1897	3 50 per day
do	Frank M. Williams	Dec. 17, 1897	3 50 per day
do	Willis H. Jenkins	Dec. 17, 1897	3 50 per day
do	Charles A. Hunt	Dec. 17, 1897	3 50 per day
do	Gardner L. Van Dusen	Dec. 17, 1897	3 50 per day
do	Max Blum	Dec. 17, 1897	3 50 per day
do	Maurice W. Tuttle	Dec. 17, 1897	3 50 per day
do	Francis L. Hurlbut	Dec. 17, 1897	3 50 per day
do	Emerson H. Steward	Dec. 17, 1897	3 50 per day
do	M. S. Mac Diarmid	Dec. 17, 1897	3 50 per day
do	Paul A. Meyer	Dec. 17, 1897	3 50 per day
do	Ray S. Palmer	Dec. 17, 1897	3 50 per day
do	John C. Rauney	Dec. 17, 1897	3 50 per day
do	Orson C. Richards	Dec. 17, 1897	3 50 per day
do	George E. Cook	Dec. 17, 1897	3 50 per day
do	Clinton J. Beau	Dec. 17, 1897	3 50 per day
do	Avery H. Wilcox	Dec. 17, 1897	3 50 per day
do	Gilbert Young	Dec. 31, 1897	3 50 per day
Chairman	I. I. Yates	Jan. 18, 1896	2 50 per day
do	G. O. McDonald	Feb. 1, 1894	2 50 per day
do	Wm. Van Epps	Dec. 1, 1895	3 00 per day
do	Frank Lutz	Sep. 5, 1894	3 00 per day
do	Henry F. Smith	June 20, 1894	3 50 per day
do	B. Towner	Dec. 1, 1896	2 50 per day
do	Ralph Russell	Feb. 20, 1894	4 50 per day
do	A. S. McMurray	Dec. 1, 1896	2 50 per day
do	F. N. Owens	Dec. 1, 1896	2 50 per day
do	C. K. Munroe	Aug. 1, 1894	4 50 per day
do	E. J. Berry	Aug. 2, 1892	4 50 per day
do	L. Kavanaugh	July 18, 1894	2 50 per day
do	Ja. Capron	Mar. 5, 1894	5 00 per day
do	D. E. Whitford	Nov. 7, 1894	5 00 per day
do	Howard J. Crouse	Jan. 18, 1896	2 50 per day
do	George M. Harrer	Jan. 18, 1896	2 50 per day
do	John Schimmell	Apr. 3, 1894	2 50 per day
do	George H. Thomas	Jan. 18, 1896	2 50 per day
do	Luis Meyer	Jan. 18, 1896	2 50 per day
do	C. Hurlbut	June 15, 1894	3 50 per day
do	William Rowlands	Feb. 15, 1894	2 50 per day
do	Charles D. Brand	Jan. 25, 1896	2 50 per day
do	J. J. Schmid	Feb. 1, 1894	2 50 per day
do	T. E. Paddock	Jan. 18, 1896	2 50 per day
do	John Hackett	July 17, 1894	2 50 per day
do	Charles Kichm	Jan. 18, 1896	2 50 per day
do	E. S. Merritt	Jan. 18, 1896	2 50 per day
do	Alfred P. Mead, Jr.	Jan. 18, 1896	2 50 per day
do	H. C. Morton	Jan. 18, 1896	2 50 per day
do	Henry Geck	Dec. 1, 1896	2 50 per day
do	R. T. Webster	Dec. 27, 1895	3 50 per day
do	Walter Cubey	Jan. 20, 1894	3 50 per day
do	William Schneider	Mar. 1, 1894	3 50 per day
do	F. B. Searles	Dec. 5, 1896	2 50 per day
do	Fred D. Haak	June 1, 1894	5 00 per day
do	S. W. Swanton	Dec. 1, 1896	2 50 per day
do	James S. Cook	Jan. 18, 1896	2 50 per day
do	A. W. Peters	Jan. 18, 1896	2 50 per day
do	F. G. Moses	Jan. 18, 1896	2 50 per day
do	F. Mauerman	Jan. 22, 1894	2 50 per day
do	Charles E. Whitcher	Jan. 25, 1896	2 50 per day
do	John O'Conner	Jan. 18, 1896	2 50 per day
do	J. J. Allen	Dec. 1, 1896	5 00 per day

Engineer and Surveyor—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Chairman	Ambrose Kelly	May 1, 1894	\$4 50 per day
do	H. S. Miller	Jan. 1, 1896	3 00 per day
do	R. M. Booth	Jan. 13, 1896	3 50 per day
do	Jesse Patrick	Jan. 13, 1896	2 50 per day
do	W. E. Petty	Jan. 13, 1896	2 50 per day
do	F. G. Tilton	Jan. 13, 1896	2 50 per day
do	W. J. Gilmore	Jan. 13, 1896	3 50 per day
do	P. D. Wendell	Jan. 13, 1896	3 50 per day
do	F. G. Bartlett	Jan. 13, 1896	2 50 per day
do	J. B. Tiffany	Jan. 13, 1896	2 50 per day
do	Frank Kromer	Jan. 13, 1896	2 50 per day
do	L. Deidrick	Jan. 13, 1896	2 50 per day
do	John Weeks	Jan. 13, 1896	2 50 per day
do	L. Potter	Jan. 13, 1896	2 50 per day
do	James T. Brady	Jan. 13, 1896	2 50 per day
do	G. H. Moulthrop	Jan. 13, 1896	2 50 per day
do	W. B. Strong	Jan. 13, 1896	2 50 per day
do	A. F. Fran	Jan. 13, 1896	2 50 per day
do	George Kirk, Jr.	Jan. 13, 1896	2 50 per day
do	C. J. Reardon	Jan. 13, 1896	2 50 per day
do	Edmund Adams	Feb. 28, 1896	2 50 per day
do	Frank W. Adams	Nov. 11, 1897	2 50 per day
do	Fred A. Bean	Nov. 11, 1897	2 50 per day
do	Theophilus Beaupre	Nov. 11, 1897	2 50 per day
do	Horace M. Booth	Mar. 15, 1897	2 50 per day
do	Harry C. Brown	Nov. 11, 1897	2 50 per day
do	Horace K. Burdick	Nov. 11, 1897	2 50 per day
do	Fred B. Davis	Nov. 11, 1897	2 50 per day
do	J. T. Dowd	Jan. 3, 1896	2 50 per day
do	Lewis G. Fisher	Nov. 11, 1897	2 50 per day
do	Frank L. Fonda	Nov. 15, 1897	2 50 per day
do	Alfred W. Foster	Feb. 15, 1897	2 50 per day
do	Fred Gersner	Jan. 18, 1896	2 50 per day
do	Alfred Gillis	Nov. 15, 1897	2 50 per day
do	W. B. Inglesbee	Jan. 3, 1896	2 50 per day
do	John W. Inman	Nov. 11, 1897	2 50 per day
do	Luke F. Kelly	Nov. 11, 1897	2 50 per day
do	Harry Knapp	Nov. 11, 1897	2 50 per day
do	LeRoy Lewis, Jr.	Feb. 28, 1896	2 50 per day
do	Frank H. Lomax	Nov. 11, 1897	2 50 per day
do	Raymond B. McDonald	Nov. 11, 1897	2 50 per day
do	Dan D. Mead	Nov. 11, 1897	2 50 per day
do	L. L. Melius	Feb. 1, 1897	2 50 per day
do	William H. S. Morey	Nov. 15, 1897	2 50 per day
do	John C. Mulvihill, Jr.	Jan. 18, 1897	2 50 per day
do	Almond R. Newton	Nov. 15, 1897	2 50 per day
do	William H. O'Brien	Nov. 11, 1897	2 50 per day
do	Matthew O'Connor	Jan. 3, 1896	2 50 per day
do	Lawrence P. O'Keefe	Nov. 11, 1897	2 50 per day
do	Girard M. Parce	Nov. 11, 1897	2 50 per day
do	William H. Porter	Nov. 11, 1897	2 50 per day
do	William Powers	Nov. 11, 1897	2 50 per day
do	William K. Roberts	Nov. 11, 1897	2 50 per day
do	Eugene F. Ryan	Nov. 11, 1897	2 50 per day
do	H. C. Schermhorn	Nov. 11, 1897	2 50 per day
do	Edgar B. Shufelt	Nov. 11, 1897	2 50 per day
do	F. B. Stoddard	Nov. 11, 1897	2 50 per day
do	J. G. Stuart	Jan. 18, 1897	2 50 per day
do	Dennis A. Sullivan	Nov. 11, 1897	2 50 per day
do	Charles F. Swain	Nov. 11, 1897	2 50 per day
do	Burt C. Van Buren	Nov. 11, 1897	2 50 per day
do	H. S. Van Valkenburgh	Nov. 11, 1897	2 50 per day
do	Orra Westover	Nov. 11, 1897	2 50 per day
do	A. A. Munson	Jan. 3, 1896	2 50 per day
do	Thomas Howard	Dec. 23, 1897	2 50 per day
do	Jacob J. Stack	Dec. 23, 1897	2 50 per day
do	John Stobo, Jr.	Dec. 23, 1897	2 50 per day
do	John D. Luther	Dec. 23, 1897	2 50 per day
do	William H. King	Jan. 3, 1896	2 50 per day
do	Frank E. Jackson	Jan. 3, 1896	2 50 per day
do	G. W. Robinson	Jan. 3, 1896	2 50 per day

FIFTEENTH REPORT OF THE

Engineer and Surveyor—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Chairman.....	E. J. Greiner.....	Jan. 2, 1896	\$2 50 per day
do.....	Tracy B. Smith.....	Feb. 28, 1896	2 50 per day
do.....	Horace H. Albright.....	Nov. 11, 1897	2 50 per day
Draftsman.....	C. D. Burrus.....	Feb. 15, 1896	4 50 per day
do.....	G. L. Schillner.....	Jan. 20, 1896	4 50 per day
do.....	F. B. Marrs.....	Jan. 18, 1896	5 00 per day
do.....	John E. Li-yd.....	Jan. 20, 1896	4 50 per day
do.....	H. G. McKelvey.....	Jan. 20, 1896	4 00 per day
do.....	C. A. Poole.....	Jan. 20, 1896	4 00 per day
do.....	John A. O'Connor.....	Mar. 1, 1897	3 50 per day
do.....	E. C. Olcott.....	Mar. 15, 1897	4 50 per day
do.....	George Rae.....	Nov. 24, 1897	3 50 per day

Department of Public Instruction.

Unclassified Service.

Superintendent.....	Charles R. Skinner.....	April 8, 1896	\$5,000
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Class I.

Deputy.....	Danforth E. Ainsworth.....	June 1, 1895	4,500
Second Deputy.....	Howard J. Rogers.....	April 8, 1896	3,000
Institute Lecturer.....	Charles E. Fitch.....	May 1, 1895	2,500
Confidential Clerk.....	Harriet M. Aspinwall.....	April 8, 1895	2,000
Conductor of Institutes.....	Henry R. Sanford.....	Sept. 1, 1894	3,000
do do.....	Isaac H. Stout.....	Sept. 1, 1896	3,000
do do.....	Welland Hendrick.....	Sept. 1, 1896	3,000
do do.....	Charles A. Shaver.....	Sept. 1, 1897	3,000
do do.....	Percy I. Bugbee.....	Aug. 1, 1895	3,000

Class II.

Supervisor of Institutes and Training classes.....	Augustus S. Downing.....	April 8, 1896	4,000
Statistical Clerk.....	Hiram C. Case.....	April 27, 1897	2,100
Law Clerk.....	Edwin M. Holbrook.....	April 21, 1896	3,000
Examination Clerk.....	Thomas E. Finegan.....	Dec. 1, 1892	2,500
Financial Clerk.....	DeLancey M. Ellis.....	Dec. 9, 1897	1,800
Stenographer.....	Allan Macdonald.....	June 9, 1892	1,400
do.....	Kate Chamberlain.....	June 10, 1895	1,300
do.....	Marion Silvernail.....	April 8, 1896	1,300
do.....	Clara G. Fuller.....	Sept. 1, 1896	1,300
do.....	Teresa X. Ryan.....	Dec. 20, 1896	900
Examiner.....	Clark W. Halliday.....	June 1, 1894	1,800
do.....	Albert C. Hill.....	July 1, 1894	1,800
do.....	J. H. Mann.....	June 1, 1894	1,800
do.....	Howard B. Harrison.....	June 10, 1894	1,800
Librarian.....	James A. Skinner.....	Dec. 10, 1895	1,800
do.....	Leon O. Wiswell.....	Nov. 1, 1895	2,100
Institute Instructor.....	Gratia L. Rice.....	Sept. 1, 1892	3,000
do.....	Florence B. Himes.....	May 1, 1894	1,600
do.....	Anna K. Eggleston.....	Sept. 1, 1894	3,000
Training Class Inspector.....	S. Whitford Maxson.....	April 8, 1895	2,500
do do.....	Frank H. Wood.....	Nov. 23, 1895	2,500
do do.....	Willis D. Graves.....	May 1, 1897	2,500
do do.....	Wayland E. Stearns.....	May 1, 1897	2,500
Inspector Compulsory Education.....	A. M. Wright.....	Oct. 1, 1895	3,000
do do.....	A. Ed-on Hall.....	Oct. 1, 1895	2,500
do do.....	William J. Barr.....	Nov. 1, 1895	2,500
Compiler of Statistics.....	Cora E. Stranahan.....	Sept. 25, 1896	1,500
do.....	Frances R. Tobey.....	Nov. 1, 1896	1,300
Junior Clerk.....	Emily L. Gibb.....	Nov. 10, 1897	600
do.....	Grace W. Thompson.....	Nov. 15, 1897	900

Department of Public Instruction—(Continued).

Class III.

Position.	NAME.	Date of entrance into position.	Compensation.
Porter.....	Barton A. Whitford.....	June 1, 1896	\$1,300
do	Howard T. Terrell.....	April 8, 1896	1,300
do	Aaron J. Oliver	July 1, 1897	1,300

State Normal College, Albany.

Unclassified Service.

Local Board.....	Charles R. Skinner.....	.....	None
do	Samuel B. Ward, M. D....	.....	None
do	Charles L. Pruyn.....	.....	None
do	Marcus T. Hun.....	.....	None
do	Wm. Bayard Van Rensselaer	None

Class I.

President	William J. Milne.....	— —, 1899	\$3,000
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Class II.

Mathematics.....	Albert N. Husted	Sept. 17, 1895	2,500
High School Dept. of Model School and Teacher of German.....	William V. Jones	July 12, 1899	2,300
Natural Sciences.....	Edward W. Wetmore	June 30, 1891	2,500
Ancient Languages.....	Leonard W. Richardson ..	Sept. 7, 1895	2,000
Vocal Music.....	Samuel B. Belding	May 26, 1896	600
Drawing.....	Kate Stoneman	Aug. 28, 1896	450
Grammar and History.....	Mary A. McClelland.....	July 12, 1899	900
Elocution, Rhetoric and English Literature.....	Margaret S. Mooney	May 31, 1897	900
Psychology and French.....	E. Helen Hannahs	Feb. —, 1898	900
Elementary Methods; also Critic in Model School.....	Clara M. Russell	Feb. —, 1892	1,000
Elementary Methods; also Critic in Model School.....	M. Harriet Bishop.....	Sept. —, 1898	1,000
Secretary and Assistant Teacher.	Edith M. Bodley.....	Sept. 10, 1897	700
Grammar Department.....	James R. White.....	May 1, 1896	1,500
do	Anna E. Pierce.....	July 23, 1896	900
Kindergarten	Ida M. Isdell.....	Sept. 23, 1896	800
Assistant in Kindergarten.....	Helen L. Sewell.....	June 19, 1898	600
Assistant in High School Dept ..	Anna E. Husted.....	June —, 1895	500
Assistant in High School Dept. and Criticism	George G. Groat.....	June —, 1897	750
Assistant in Science and Criticism.....	Charles S. Gager.....	June —, 1897	750
Assistant in Model School.....	Aurelia Hyde	June —, 1895	500
Stenographer	Carloyn Wasserbach	June 4, 1896	8 00 per week
Janitor and Fireman	James McTeague	Sept. 1, 1895	800
do	Charles Wurthmann.....	Dec. 1, 1891	800

Normal School, Brockport.

Unclassified Service.

Local Board.....	Eliphalet Whitney.....	.....	None
do	Daniel Holmes.....	.....	None
do	John H. Kingsbury.....	.....	None
do	Elijah Christwell.....	.....	None
do	John D. Burns .....	.....	None
do	Henry S. Madden.....	.....	None
do	Henry Harrison.....	.....	None
do	Thomas H. Dobson.....	.....	None
do	Edward Harrison .....	.....	None
do	George B. Harmon.....	.....	None
do	Wilson H. Moore.....	.....	None

Normal School, Brockport—(Continued).

Class I.

Position.	NAME.	Date of entrance into position.	Compensation.
Principal.....	Charles D. McLean	Aug. 11, 1888	\$3,500

Class II.

Vocal Music and Critic.....	Elizabeth S. Richmond....	Mar. 22, 1887	600
English Grammar Methods.....	C. Minerva Christwell.....	July 1, 1887	700
Natural Sciences.....	William H. Lennon.....	Sept. 1, 1889	1,600
Assistant Mathematics, Latin	Jane E. Lowery.....	Sept. 1, 1871	800
Assistant in Academic Department, German	Flora E. Willsea.....	Nov. 1, 1877	700
Preceptress, Rhetoric, English Literature.....	Mary P. Rhoades.....	June 1, 1890	1,300
Principal Academic Department.....	Arthur Tooley.....	July 1, 1884	1,000
Principal Primary Department, Critic	Louise C. Williams.....	Aug. 1, 1895	700
Latin, Greek	Charles D. Seely	Aug. 1, 1895	1,600
Drawing, Critic	Bertha H. Coleman	July 1, 1890	700
Mathematics	Charles W. Smith.....	July 1, 1890	1,600
Principal in Intermediate Department	Mary O. White.....	—, 1883	700
French Instrumental Music.....	Elizabeth A. Allen	—, 1899	250
Elocution, Physical Culture	L. Mary Nash	Aug. 1, 1893	600
Principal Training School, Methods.....	Sara A. Saunders.....	July 1, 1895	1,000
Critic Primary Department.....	Fannie B. Avery	July 1, 1895	500
Assistant Natural Science, Rhetoric	Alice L. Lennon	Mar. 1, 1896	700
Critic Intermediate Department.....	Eliza P. Knowles	June 30, 1897	500
Clerk	S. Janette Reynolds.....	July 23, 1895	400
Janitor and Engineer	Silas L. Holbrook.....	June 30, 1897	800
Assistant Engineer and Janitor ..	William Elwell.....	Sept. 5, 1895	500

Normal School, Buffalo.

Unclassified Service.

Local Board	David F. Day	None
do	Thomas Lothrop.....	None
do	Pascal P. Pratt.....	None
do	Henry Lapp.....	None
do	Charles W. Goodyear	None
do	William Hengerer	None
do	D. H. McMillan	None
do	Stephen M. Clement	None
do	Robert L. Fryer	None
do	Edward H. Butler	None

Class I.

Principal	James M. Cassedy	Aug. 4, 1886	\$3,000
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Class II.

Teacher	Mark M. Maycock.....	Sept. 1, 1871	1,800
do	Marcus A. G. Meads.....	May 28, 1875	1,800
do	Irving P. Bishop	Sept. 1, 1888	1,800
do	Ambrose C. Richardson	Sept. 1, 1895	1,800
do	Joseph Mischka	Sept. 17, 1873	400
do	Isabella Gibbon	Sept. 10, 1893	900
do	Mary Wright	Sept. 17, 1873	900
do	Helen L. Dunston	Sept. 15, 1883	900
do	Gertrude M. Bacon	Sept. 3, 1895	1,200
do	Mary E. Nye	July 23, 1894	500
do	Theodora M. Carrell	Sept. 2, 1896	900
do	Edith L. Huesen	Sept. 3, 1895	150
do	Carrie Benson.....	Oct. 17, 1893	100
do	Lydie A. Chamot	Aug. 18, 1897	300

Normal School, Buffalo—(Continued).

Class II—(Continued).

Position	NAME.	Date of entrance into position.	Compensation.
Teacher.....	Georgina E. Chamot	Aug. 18, 1897	\$300
do	John W. Greenwood.....	Aug. 18, 1897	500
do	Katherine C. Dow.....	Aug. 18, 1897	700
do	L. M. M. Cassety	Sept. 23, 1897	500
Principal's clerk.....	Edward P. Cassety.....	Oct. 2, 1893	300
Janitor.....	James Milne	July 1, 1893	800

Normal School, Cortland.

Unclassified Service.

Local Board	William H. Clark		None
do	John W. Suggett		None
do	Lawrence J. Fitzgerald.....		None
do	James N. Squires		None
do	Hugh Duffy		None
do	Orris U. Kellogg		None
do	Theodore H. Wickwire.....		None
do	Israel T. Deyo		None
do	Salem Hyde		None

Class I.

Principal.....	Francis J. Cheney.....	Aug. 5, 1891	\$3,800
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Class II.

Instructor.....	Darwin L. Bardwell.....	July 24, 1890	1,200
do	J. Edward Banta	July 18, 1892	2,000
do	W. A. Cornish	Sept. 12, 1893	1,800
do	Clara J. Robinson.....	Aug. 22, 1892	1,000
do	Mary F. Hendrick	July 12, 1893	850
do	Clara E. Booth	July 19, 1872	850
do	Harriet A. Hamilton.....	Aug. 2, 1895	850
do	Helen M. Goodhue	May 29, 1893	800
do	Caroline M. Curry	May 29, 1893	800
do	Minnie M. Alger	May 29, 1893	700
Principal Intermediate Dep't.....	Thomas J. McEvoy	Sept. 1, 1897	1,200
Critic Intermediate Department.....	Maria W. Bishop	July 24, 1890	800
Principal Primary Department.....	Ida Sharper	Sept. 1, 1897	800
Critic Primary Department.....	Ella Gale	Aug. 28, 1895	800
Critic Intermediate and Primary Departments	Emily C. Ormsby	Aug. 29, 1894	700
Office Clerk and Instructor	Ana L. Clarkson.....	Dec. 31, 1895	550
Kindergartner	Lillie H. Stone	Aug. 11, 1897	800
Physical Training.....	Kathleen G. Atkinson	June 14, 1897	700
Janitor and Engineer	Fred E. Seiber	Feb. 24, 1893	1,400

Normal School, Fredonia.

Unclassified Service.

Local Board	L. Morris		None
do	Louis McKinstry.....		None
do	P. H. Stevens.....		None
do	Charles L. Mark.....		None
do	M. M. Fenner.....		None
do	F. C. Chatsey		None
do	Frederick R. Green.....		None

Class I.

Principal.....	Francis B. Palmer	Nov. —, 1878	\$3,300
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Normal School, Fredonia—(Continued).

Class II.

Position.	NAME.	Date of entrance into position.	Compensation.
Vice Principal.....	Myron T. Dana.....	Sept., 1881	\$2,000
Supt. Methods and Practice.....	Andrew Y. Freeman.....	Sept., 1880	1,500
Ancient Languages.....	Homer L. Holcomb.....	Sept., 1884	1,300
Natural Science.....	Franklin N. Jewett.....	Mar., 1886	1,500
Vocal Music.....	John P. Harter.....	Sept., 1884	400
Rhetoric, Literature and Essays.....	Anna McLaury.....	Sept., 1887	1,300
Kindergarten Methods & Practice.....	Adelaid E. Herrick.....	Sept., 1886	700
Drawing and Manual Training.....	Julia Shepard.....	Sept., 1888	700
Principal Primary Department.....	Nellie F. Palmer.....	April, 1887	700
Elocution and Reading.....	Florella Hovey.....	Sept., 1887	600
Academic.....	Grace McKinstry.....	Sept., 1884	600
Piano Music.....	Jessie Hillman.....	Jan., 1887	Tuition
Critic Intermediate Department.....	Minnie Archibald.....	Oct., 1884	\$700
Critic Primary Department.....	Ruth English.....	Sept., 1888	700
Painting.....	Edith N. Curtis.....	Sept., 1888	Tuition
Physical Training.....	Edna Fuller.....	Sept., 1884	\$450
Assistant Kindergarten.....	Anna L. Lester.....	Sept., 1886	450
Assistant Intermediate Dept.....	Julia D. Sherman.....	Sept., 1886	600

Normal School, Geneseo.

Unclassified Service.

Local Board.....	Solomon Hubbard.....	.....	None
do.....	William A. Brodie.....	.....	None
do.....	Charles W. Fielder.....	.....	None
do.....	Adoniram J. Abbott.....	.....	None
do.....	James W. Wadsworth.....	.....	None
do.....	John Rorbach.....	.....	None
do.....	William A. Wadsworth.....	.....	None
do.....	John R. Strong.....	.....	None
do.....	Walter E. Lauderdale.....	None

Class I.

Principal.....	John M. Milne.....	Jan. 1, 1872	\$3,300
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Class II.

Natural Sciences.....	Huber J. Schmitz.....	Nov., 1881	1,800
Mathematics.....	Edward D. Graber.....	July, 1886	1,600
Ancient Languages.....	Frank E. Welles.....	Oct., 1880	1,600
Physical Culture.....	Henry W. Patten.....	Aug., 1886	1,400
Methods.....	Julia R. Bailey.....	June, 1888	1,000
Literature and Rhetoric.....	Myra P. Burdick.....	Jan., 1874	850
Intermediate Department.....	Phebe B. Hall.....	Nov., 1878	800
Primary Department.....	Sarah A. Goheen.....	Oct., 1884	800
Elocution.....	Sarah Parry.....	July, 1889	700
Grammar and History.....	Emeline S. Curtiss.....	Aug., 1871	700
Intermediate Department.....	Elizabeth McBride.....	Aug., 1878	650
do.....	Ethel A. Haven.....	July, 1886	550
Primary Department.....	Elizabeth V. Rorbach.....	July, 1880	650
do.....	Orphe O. Milmine.....	Aug., 1884	600
Drawing.....	Mabel M. Hayward.....	Aug., 1888	700
Mathematics, Latin, etc.....	Bertha E. Paine.....	Aug., 1884	700
do do.....	Austana L. Angell.....	July 2, 1887	700
German and French.....	Louise M. Abbott.....	Oct., 1888	500
English, Geography, etc.....	Mary E. Burns.....	July, 1877	550
Vocal Music.....	Mary E. Parks.....	July, 1871	500
Clerk.....	E. Louise Baker.....	Aug., 1886	600
Head Janitor.....	L. C. Morey.....	July, 1876	800
Assistant Janitor.....	William Bradley.....	Aug., 1886	500

NEW YORK CIVIL SERVICE COMMISSION.

1025

Normal School, Jamaica.

Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Local Board.....	Richard C. McCormick....	.....	None
do	John H. Bunkerhoff.....	.....	None
do	John E. Backus.....	.....	None
do	John Lewis Childs.....	.....	None
do	Francis R. Clair.....	.....	None
do	John R. Reid.....	.....	None
do	John H. Sutphin.....	.....	None
do	Samuel T. Peters.....	.....	None
do	John L. Dobson.....	.....	None
do	Joseph W. Carroll.....	.....	None
do	John O'Donnell.....	.....	None
do	Isaac C. Hendrickson.....	None

Class I.

Principal	Archibald C. McLachlan...	Sept. 1, 1897	\$3,300
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Class II.

Mathematics.....	Edward L. Stevens.....	Sept. 1, 1897	1,700
English and Classics.....	Roland S. Keyser.....	Sept. 1, 1897	1,700
do	Irma G. Port.....	Sept. 1, 1897	850
Modern Languages.....	Clara M. Douglas.....	Sept. 1, 1897	850
Science.....	Oswald D. Humphrey.....	Sept. 1, 1897	1,650
Drawing and Assistant Librarian.	Lena D. Childs.....	Sept. 1, 1897	750
History, Civics and Physical Culture	Jennie Pomerene.....	Sept. 1, 1897	900
Methods and Criticism.....	Laura E. McDowell.....	Sept. 1, 1897	900
Music and Elementary Science.....	Minerva A. Stranchen.....	Sept. 1, 1897	850
Methods and Criticism.....	Bianca Schiller.....	Sept. 1, 1897	850
Principal and Critic of Intermediate Department.....	Anna A. R. Garrity.....	Sept. 1, 1897	800
Principal and Critic of Primary Department.....	S. Anna Brett.....	Sept. 1, 1897	800
Janitor.....	John W. Murphy.....	Sept. 1, 1897	400

Normal School, New Paltz.

Unclassified Service.

Local Board.....	Albert K. Smiley.....	.....	None
do	Solomon Deyo.....	.....	None
do	Jacob LeFever.....	.....	None
do	George H. Sharpe.....	.....	None
do	Alton B. Parker.....	.....	None
do	Josiah J. Hasbrouck.....	.....	None
do	Jacob D. Wurts.....	None
do	Lambert Jenkins.....	None

Class I.

Principal	Frank S. Capen.....	Sept. 1, 1888	\$3,300
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Class II.

Natural Sciences.....	H. L. Griffs.....	Sept. 1, 1888	1,800
Mathematics.....	William F. White.....	Aug. 31, 1897	1,400
Methods.....	V. F. Page.....	Sept. 1, 1888	1,200
Literature.....	Elmer J. Bailey.....	Sept. 1, 1895	800
Ancient Languages.....	K. A. Gage.....	Sept. 1, 1888	1,000
French and German.....	Mary Johnston.....	Aug. 31, 1897	800
Drawing.....	Anna M. Morgan.....	Sept. 1, 1893	800
English and Latin.....	Jeanette E. Graham.....	Sept. 1, 1894	800
Methods.....	Mary E. Harris.....	Sept. 1, 1895	700
do	F. M. Witter.....	Nov. 26, 1888	800
Music.....	Anna M. Reed.....	Sept. 1, 1891	750
Intermediate Department.....	Charlotte E. Reeve.....	Sept. 1, 1892	650
Primary Department.....	Ella A. Fallon.....	Sept. 1, 1893	700
Janitor.....	Wallace Miller.....	Sept. 1, 1892	800

Normal School, Oneonta.

Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Local Board.....	William H. Morris.....	.....	None
do	Hartford D. Nelson.....	.....	None
do	David Whipple.....	.....	None
do	Walter L. Brown.....	.....	None
do	James Stewart.....	.....	None
do	George I. Wilber.....	.....	None
do	Eugene Raymond.....	.....	None
do	Willard E. Yager.....	.....	None
do	Reuben Reynolds.....	.....	None
do	George Kirkland.....	.....	None
do	Frederick A. Mead.....	None
do	Hobart Krum.....	None

Class I.

Principal.....	James M. Milne.....	— —, 1889	\$3,300
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Class II.

Mathematics.....	Arthur M. Curtis.....	Aug. 19, 1895	1,800
Modern Languages.....	Edwin F. Bacon.....	— —, 1889	1,200
Classics.....	Frank D. Blodgett.....	— —, 1893	1,500
Science.....	Howard Lyon.....	— —, 1893	1,800
Methods.....	Kate M. Dennison.....	— —, 1895	1,000
Music and Criticism.....	Anna G. Childs.....	— —, 1889	800
Drawing, Methods, Critic.....	Harriet A. Gates.....	— —, 1891	800
Expression and Reading.....	Beulah J. Carpenter.....	June 28, 1897	400
Science writing, Critic.....	Frances A. Hurd.....	— —, 1889	800
Rhetoric, Literature and History.....	Charles A. Schumaker.....	— —, 1895	1,100
Physical Culture and History.....	W. L. Collom.....	July 1, 1896	700
Assistant in Mathematics and Languages.....	Gertrude L. Coddington.....	July 17, 1896	800
General Assistant and Science.....	Frances Tappan.....	July 17, 1896	700
Physical Culture and Principal Intermediate Department.....	Charles J. Staples.....	July 17, 1896	1,000
Principal Primary.....	Cora H. Pettit.....	Oct. 27, 1894	800
Physical Geography and Critic.....	Florence M. Matteson.....	— —, 1893	750
Grammar and Critic.....	Genevieve Ingersoll.....	June 28, 1895	700
Engineer.....	W. H. Whitney.....	— —, 1894	800
Janitor.....	S. Ferns.....	— —, 1894	600

Normal School, Oswego.

Unclassified Service.

Local Board.....	Gilbert McIlison.....	.....	None
do	John Dowdle.....	.....	None
do	Theodore Irwin.....	.....	None
do	Frederick O. Clark.....	.....	None
do	Alanson M. Page.....	.....	None
do	John C. Churchill.....	.....	None
do	S. Mortimer Coon.....	.....	None
do	Lawrence Clancy.....	.....	None
do	Edwin Allen.....	.....	None
do	George B. Sloan.....	.....	None
do	John A. Place.....	.....	None
do	Washington T. Henderson.....	None
do	George T. Clark.....	None

Class I.

Principal.....	Isaac B. Poucher.....	1882	\$3,300
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Normal School, Oswego—(Continued).

Class II.

Position.	NAME.	Date of entrance into position.	Compensation.
Teacher	C. B. Scott	1894	\$1,600
do	C. S. Sheldon	1893	1,600
do	R. K. Piez	1893	1,600
do	Mary E. Laing	1896	1,200
do	L. Ellen Phoenix	1893	1,200
do	Caroline L. G. Scales	1884	1,200
do	Josephine C. Bunker	1893	500
do	Annie L. Harwood	1895	1,000
do	Mary H. McElroy	1884	300
do	Mary L. O'Geran	1894	200
do	Carrie V. Sinnamon	1896	100
do	E. D. Griswold	1895	150
Mathematics	W. G. Rappleye	Feb. 2, 1893	1,800
Superintendent School Practice	A. W. Farnham	1894	1,000
Principal Kindergarten	Amanda P. Funelle	1899	1,200
Critic, Assistant School Practice	Katharine A. Hayes	Sept. 1, 1897	50
Assistant in Drawing	Santa L. Stewart	Sept. 1, 1897	100
Assistant in Mathematics	A. Webb Plumb	Sept. 1, 1897	1,000
Arithmetic	L. Estelle Appleton	Sept. 1, 1897	200
Principal Primary Department and Critic	Harriet E. Stevens	Sept. 1, 1897	200
Stenographer	M. Estelle Horton	1890	400

Normal School, Plattsburgh.

Unclassified Service.

Local Board	John B. Riley	None
do	Everett C. Baker	None
do	George S. Wood	None
do	Alexander Bertrand	None
do	Henry G. Burleigh	None
do	Alfred Guilford	None
do	Charles F. Hudson	None
do	S. Alonzo Kellogg	None
do	David S. Kellogg	None
do	Rowland C. Kellogg	None
do	Stephen Moffit	None
do	Lucien Shedden	None
do	John M. Wever	None

Class I.

Principal	Edward N. Jones	Sept. 1, 1892	\$3,300
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Class II.

Instructor in Mathematics	George K. Hawkins	Sept. —, 1890	1,800
Instructor in Science	George H. Hudson	Sept. —, 1890	1,800
Instructor in Latin and Greek	Horace H. Southwick	Sept. —, 1897	1,700
Instructor in Methods	Eliza Kellas	Sept. —, 1890	1,000
Principal Practice Department	Sara F. Bliss	Sept. —, 1895	900
Instructor in Drawing and Penmanship	Josephine A. Green	Sept. 1, 1895	800
Instructor History, Literature and Rhetoric	Theodora Kyle	Sept. 1, 1895	800
Instructor Elocution and Physical Culture	Alice L. O'Brien	Sept. —, 1890	700
Instructor Vocal Music	Margaret M. Garrity	Feb. 1, 1897	700
Critic	Lucy E. Tracy	Sept. —, 1892	700
do	Louise A. Perry	Sept. —, 1892	700
Instructor in French and German	Alice E. Robbins	Sept. —, 1896	700
Instructor in Kindergarten	Maud C. Stewart	Sept. —, 1896	800
Assist. Secretary and Librarian	Annie J. O'Brien	Sept. —, 1892	500
Janitor	John E. Blanchard	Sept. —, 1890	800

FIFTEENTH REPORT OF THE

Normal School, Potsdam.

Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Local Board	Edwin A. Merritt .....	.....	None
do	John G. McIntyre .....	.....	None
do	George H. Sweet .....	.....	None
do	Jesse Reynolds .....	.....	None
do	John I. Gilbert .....	.....	None
do	William R. Weed .....	.....	None
do	John A. Vance .....	.....	None
do	Thomas Spratt	None
do	George W. Smith	None

Class I.

Principal	Thomas B. Stowell	— — —, 1889	\$2,500
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Class II.

Teacher of Natural Science, Methods, Criticism	Warren Mann	— — —, 1873	1,500
Teacher History, Rhetoric, and English Literature	Edward W. Flagg	— — —, 1883	1,500
Preceptress English Grammar, Criticism	Amelia Morey	— — —, 1889	1,300
History, Civics, Arithmetic, Methods	Freeman H. Allen	— — —, 1885	1,300
Mathematics, Science, Methods, Criticism	Willis E. Bond	— — —, 1893	1,300
Ancient Classics	C. E. Rosengrant	— — —, 1895	1,300
Drawing	Stansbury Norse	Mar. —, 1893	900
French and German	Ida B. Steyer	— — —, 1893	800
Principal Primary Department	Jane F. Buttrick	— — —, 1893	800
Vocal Music	Julia E. Crane	— — —, 1884	800
Composition, Botany, Physical Geography	Sarah V. Chollar	— — —, 1889	800
Algebra, English, Methods, Criticism	James M. Graves	— — —, 1887	800
Reading and Physical Culture	Ola Esterly	— — —, 1894	800
English and Criticism	Nora B. Whitney	Sept. —, 1897	800
Principal Intermediate Department, Geography, Methods	Adelaide Norris	— — —, 1896	800
Director of Kindergarten	Alice A. Bristol	Sept. —, 1897	800
Director of Orchestra	Henry E. Watkins	— — —, 1890	300
Engineer and Janitor	George A. White	— — —, 1887	800

Insurance Department.

Unclassified Service.

Superintendent	Louis F. Payn	Feb. 11, 1897	7,000
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Class I.

First deputy	Robert H. Hunter	Feb. 11, 1897	5,000
Second deputy	Henry D. Appleton	June 15, 1897	4,500
Third deputy	William H. Buckley	June 9, 1896	4,500
Cashier	E. L. Payn	Nov. 29, 1897	2,500
Chief actuary	John T. Patterson	May 1, 1896	3,500
Chief clerk of the Tax Department	Matthew H. Robertson	July 1, 1897	4,500
Stenographer	Adelaide Y. Heath	Aug. 1, 1897	1,300
do	Harriet S. Mesick	July 1, 1897	900
Chief confidential examiner	Isaac Vanderpoel	Feb. 11, 1897	5,000
Confidential examiner	W. C. Hackett	Nov. 1, 1897	2,000
do	J. P. Mesick	July 15, 1897	2,500
do	J. B. H. Mongin	Aug. 30, 1897	3,000
do	Louis Newgass	July 1, 1897	2,500
do	Morris S. Sheppard	Feb. 11, 1897	2,500
do	Helen C. Titcomb	Aug. 1, 1897	900
do	M. E. Cadman	Aug. 1, 1897	2,400
do	J. Bartlett Hydorn	July 15, 1897	1,500
do	James Keenholts	Aug. 1, 1897	1,500

Insurance Department—(Continued).

Class II.

Position.	NAME.	Date of entrance into position.	Compensation.
Assistant Actuary	James E. Cross	Jan. 13, 1893	\$3,400
do	David H. Keefer	June 1, 1899	2,100
do	Thomas J. Judge	July 1, 1891	1,600
do	Mortimer Odell	Jan. 23, 1888	1,600
Special Examiner	Thomas J. McCabe	July 9, 1891	2,500
do	Daniel F. Gordon	Feb. 11, 1891	2,300
do	Silas C. Hay	Mar. 21, 1894	1,800
do	John J. Cunningham	Jan. 1, 1895	1,200
Clerk	Frank M. Smyth	Mar. 1, 1897	2,500
do	Michael A. Nolan	June 1, 1888	2,500
do	Thomas F. B-han	May 23, 1888	2,300
do	William H. McCall	Jan. 1, 1883	1,800
do	Nathaniel Hyatt	July 1, 1888	1,600
do	Charles S. Crippen	Jan. 1, 1890	1,600
do	Charles A. Nicholl	Feb. 1, 1891	1,500
do	Alexander Clarke	Feb. 27, 1888	1,400
do	Frank A. Gremmler	May 1, 1891	2,100
do	John M. Hinckle	Jan. 8, 1895	1,600
do	Francis A. Dack	Feb. 1, 1892	1,200
do	Thomas W. Meaney	June 15, 1894	1,300
do	Eugene C. Kohler	Nov. 15, 1895	1,000
Typewriter and Copyist	Margaret E. McWilliams	Apr. 1, 1891	1,400
Stenographer	Mary L. Waite	Aug. 9, 1898	1,200
Stenographer, N. Y. Office	E. W. Munn	Oct. 19, 1896	1,200
Messenger	Chester A. Donnelly	May 30, 1893	900

Class III.

Watchman	John B. Haskins	Apr. 1, 1897	1,080
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Banking Department.

Unclassified Service.

Superintendent	Frederick D. Kilburn	July 16 1896	7,000
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Class I.

Deputy Superintendent	James L. Thurston	Jan. 27, 1896	4,000
Private Secretary	Frederick J. Seaver	Feb. 6, 1896	2,700
Confidential Examiner	Ezra White	July 7, 1897	\$12 per day.
Stenographer	Edna M. Sherwin	March 1, 1897	\$900

Class II.

Chief, Foreign Bureau	George I. Skinner	March 1, 1897	4,000
Chief Clerk and Examiner	John D. Moriarity	Apr. 14, 1893	2,400
Clerk	James S. Love	Dec. 16, 1895	1,500
Clerk	Theodore L. Romeyn	July 6, 1892	1,200
Stenographer	Helen C. Norton	Oct. 13, 1890	1,200
Examiner	Benjamin S. W. Clark	Nov. 30, 1889	\$18 per day
do	Albert C. Judson	May 22, 1890	16 per day
do	Philo H. Backus	June 20, 1891	14 per day
do	A. H. Reynolds, Jr.	Jan. 9, 1894	10 per day
do	Frederick H. Parker	May 1, 1890	10 per day
do	Patrick H. Mooney	Mar. 7, 1892	10 per day
do	Solon L. Slade	Jan. 27, 1893	10 per day
do	Horace J. Young	Oct. 3, 1895	10 per day
do	H. C. Champlin	Dec. 7, 1895	8 per day
do	F. A. Waters	Oct. 5, 1894	10 per day
do	Walter S. Allen	Dec. 16, 1895	10 per day
do	James S. McMaster	Feb. 21, 1896	8 per day
do	H. M. Wendell	Dec. 14, 1894	8 per day
do	Ambrose Jones	Sept. 18, 1894	8 per day
do	Edward K. Henderson	May 3, 1894	8 per day
do	F. E. Wadhams	Sept. 3, 1892	8 per day

Banking Department—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Examiner	David O. Batterson	Oct. 21, 1896	\$12 per day
do	Charles W. Hermans	Apr. 23, 1896	10 per day
do	George S. Leonard	May 26, 1896	18 per day
do	Edward H. Thompson	April 23, 1896	13 per day
Emergency Examiner	Philip Joyce	Dec. 10, 1894	8 per day

Railroad Commission.

Unclassified Service.

Commissioner.....	Ashley W. Cole.....	Dec. 31, 1896	\$3,000
do	Frank M. Baker.....	Dec. 31, 1896	8,000
do	George W. Dunn.....	Mar. 20, 1897	8,000

Class I.

Secretary	John S. Kenyon.....	Jan. 1, 1898	6,000
Inspector	George S. Gatchell.....	May 1, 1897	3,000
Examiner	Frederick H. Coggeshall ..	Oct. 23, 1897	2,000

Class II.

Electrical Expert.....	Charles R. Barnes.....	July 18, 1896	\$3,000
Stenographer	E. C. McEntee	Mar. 10, 1898	2,500
Assistant Accountant.....	Albert L. Judson.....	Dec. 15, 1896	1,800
Accident Clerk.....	William McNeilly.....	Mar. 15, 1898	1,500
Marshal	William J. Sullivan.....	July 1, 1898	1,500
Proof Reader and Shipping Clerk.	Patrick J. Doyle	April 1, 1898	1,500
Record Clerk.....	William H. Terrell.....	May 1, 1898	1,500
Clerk	Charles E. Gantz.....	Aug. 27, 1897	1,500
Assistant Stenographer.....	John J. Farley.....	Mar. 27, 1896	600
Superintendent of Grade Crossings and Accounts.....	Charles R. DeFreest*.....	Jan. 1, 1898	3,000

Department of Public Works.

Unclassified Service.

Superintendent of Public Works..	George W. Aldridge.....	Jan. 30, 1896	6,000
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Class I.

Deputy Supt. of Public Works....	Patrick J. McWeeney.....	Oct. 6, 1896	4,000
Assistant Supt. of Public Works..	John N. Parker	Feb. 19, 1896	3,000
do do do	Thomas Wheeler.....	Feb. 19, 1896	3,000
do do do	R. G. Lay	Feb. 19, 1896	3,000
Superintendent of Canal Repairs..	John McDermott	Mar. 12, 1896	1,500
do do do	James B. McKain	Mar. 12, 1896	1,500
do do do	Jacob Snell.....	Mar. 5, 1896	1,500
do do do	Charles A. Snyder	Feb. 27, 1896	1,500
do do do	Charles A. Fowler	Feb. 27, 1896	1,500
do do do	L. A. King	April 17, 1896	1,500
do do do	A. S. Farnum	Feb. 27, 1896	1,500
do do do	George A. Goss	Mar. 21, 1896	1,500
do do do	Frank B. Seeley.....	Mar. 19, 1896	1,500
do do do	John Kraft.....	Mar. 22, 1896	2,000
do do do	Frank B. Peck	Mar. 5, 1896	1,500
do do do	Edward Reed	Mar. 5, 1896	1,500
do do do	George Neddo.....	Mar. 5, 1896	1,500
do do do	Frank M. Breed.....	Feb. 27, 1896	1,500
do do do	Edgar Hughes.....	Mar. 6, 1896	1,500
do do do	Henry Abbey	Mar. 5, 1896	1,200
do do do	C. S. Codrington	April 10, 1896	1,500
do do do	Marvin Bonsted.....	Jan. 1, 1898	1,300
do do do	Irving Freeman.....	Jan. 1, 1898	1,300

Department of Public Works—(Continued).

Class I—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Special Agent.....	Justin B. Davis.....	Aug. 1, 1897	\$2,000
do	E. N. Walbridge.....	April 30, 1895	\$4 00 a day
do	J. M. Aikenhead.....	April 30, 1895	4 00 a day
do	Wm. Birdsall.....	May 1, 1895	4 00 a day
do	Wm. R. Hotelling.....	May 2, 1895	4 00 a day
do	Wm. Jones.....	Nov. 10, 1896	4 80 a day
do	Charles W. Barnes.....	May 1, 1896	5 00 a day
do	Harry M. Hulsapple.....	April 26, 1896	5 00 a day
do	Alexander R. Smith.....	Aug. 25, 1897	5 00 a day
Financial Clerk.....	Charles Tracey.....	April 1, 1897	\$2,000
Consulting and Inspecting Architect, New Capitol.....	A. G. C. Fletcher.....	June 22, 1897	10 60 a day
Stenographer.....	Edward Shaughnessy.....	June 3, 1897	\$1,800

Class II.

Corresponding Clerk.....	Winslow M. Mead.....	Apr. 1, 1895	3,000
Assistant Financial Clerk.....	Edward L. Walsh.....	Jan. 30, 1890	2,500
Clerk of Statistics.....	Daniel A. Cooney.....	May 1, 1883	1,900
Clerk	Terrence I. Hardin.....	Apr. 30, 1892	1,700
do	C. D. Wing.....	Apr. 18, 1895	1,500
do	Charles E. Hannan.....	July 6, 1893	1,300
Clerk to Assistant Supt. of Public Works.....	George M. Bostwick.....	Mar. 13, 1895	1,600
Clerk to Assistant Supt. of Public Works.....	Omer Leyus.....	Mar. 1, 1895	1,500
Clerk to Assistant Supt. of Public Works.....	Francis O'Connor.....	Jan. 1, 1884	1,500
Clerk to Assistant Supt. of Public Works.....	Eugene Pitass.....	June 1, 1893	720
Clerk, Rochester Shop.....	L. J. Talman.....	Mar. 1, 1889	900
Clerk, Cohoes Shop.....	M. H. Davidson.....	Mar. 20, 1895	600
Copyist to Assistant Supt. of Public Works.....	Gertrude Hurlburt.....	Apr. 1, 1895	600
Collector of Canal Statistics.....	Wm. A. Lenway.....	May 21, 1896	1,000
do do do	Wm. F. Wheelock.....	May 21, 1896	700
do do do	James W. Veeder.....	May 21, 1896	600
do do do	Ansel E. Wright.....	May 21, 1896	700
do do do	Charles R. Lisk.....	May 21, 1896	700
do do do	T. K. Williams.....	May 21, 1896	800
do do do	T. S. Croley.....	May 21, 1896	700
do do do	Geo. R. Cornish.....	May 21, 1896	\$60 a mo.
do do do	F. A. Hotchkiss.....	May 21, 1896	\$600
do do do	Dennis Murphy.....	May 21, 1896	800
do do do	W. M. Hawkins.....	Mar. 22, 1895	1,800
do do do	Frank E. Neiss.....	Oct. 1, 1896	600
Clerk to Collector of Canal Statistics.....	B. W. Knower.....	May 21, 1896	\$60 a mo.
Clerk to Collector of Canal Statistics.....	R. D. Kennedy.....	May 21, 1896	60 a mo.
Clerk to Collector of Canal Statistics.....	C. M. Leet.....	May 21, 1896	60 a mo.
Clerk to Collector of Canal Statistics.....	James S. Lyons.....	May 21, 1896	65 a mo.
Clerk to Collector of Canal Statistics.....	John B. Prest.....	May 21, 1896	65 a mo.
Clerk to Collector of Canal Statistics.....	Ernest N. Smith.....	May 21, 1896	60 a mo.
Clerk to Collector of Canal Statistics.....	D. D. Cameron.....	May 21, 1896	60 a mo.
Clerk to Collector of Canal Statistics.....	Lawrence B. Lamb.....	May 21, 1896	60 a mo.
Clerk to Collector of Canal Statistics.....	Wm. F. Cody.....	May 21, 1896	60 a mo.
Clerk to Collector of Canal Statistics.....	Scott W. Skinner.....	June 5, 1896	60 a mo.
Clerk to Collector of Canal Statistics.....	J. W. Hannah.....	June 10, 1896	50 a mo.
Clerk to Collector of Canal Statistics.....	Andrew Shields.....	Apr. 2, 1895	75 a mo.

Department of Public Works—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Clerk to Collector of Canal Statistics.	John J. Snyder.....	Apr. 2, 1895	\$75 a mo.
Clerk to Collector of Canal Statistics.	E. W. Allen.....	Apr. 2, 1895	75 a mo.
Clerk to Collector of Canal Statistics.	Julius Wurtz.....	Apr. 8, 1895	75 a mo.
Clerk to Collector of Canal Statistics.	W. L. Wiener.....	June 1, 1897	70 a mo.
Stenographer.	Margaret Templeton.....	June 11, 1895	Piece work.
General Inspector.	J. Nelson Tubbs.....	Feb. 26, 1895	\$13 00 a day
Inspector.	E. C. Scott.....	May 21, 1896	60 00 a mo.
do	B. S. Abrams.....	May 21, 1896	50 00 a mo.
do	Henry C. Jilison.....	June 3, 1896	60 00 a mo.
do	J. E. Diefendorf.....	May 21, 1896	60 00 a mo.
do	E. B. Jones.....	May 21, 1896	60 00 a mo.
do	Henry W. Barry.....	June 10, 1896	60 00 a mo.
do	George D. Cull.....	June 10, 1896	60 00 a mo.
do	Asa M. Williams.....	April 2, 1895	60 00 a mo.
do	E. G. Rogers.....	April 13, 1896	60 00 a mo.
do	James Minehan.....	April 13, 1896	60 00 a mo.
do	J. H. Bedell.....	April 1, 1898	4 00 a day
do	Peter I. Mynderse.....	April 1, 1895	3 00 a day
do	E. A. Hammond.....	Dec. 24, 1894	3 00 a day
do	A. A. Maltby.....	Oct. 13, 1896	4 00 a day
do	H. B. Vanderboeh.....	April 13, 1895	60 00 a mo.
do	Samuel L. Adcock.....	Jan. 5, 1897	4 00 a day
do	H. Fay Allen.....	Jan. 18, 1897	4 00 a day
do	W. C. Armstrong.....	April 2, 1897	4 00 a day
do	Dewitt F. Austin.....	Jan. 5, 1897	4 00 a day
do	Houston Barnard.....	Jan. 6, 1897	5 00 a day
do	Robert M. Barnett.....	Jan. 5, 1897	4 00 a day
do	Charles C. Barrett.....	Jan. 6, 1897	4 00 a day
do	Harry F. Bascom.....	Mar. 12, 1897	4 00 a day
do	C. H. Beckwith.....	April 2, 1897	3 00 a day
do	Edward D. Bennett.....	Jan. 5, 1897	5 00 a day
do	Adelbert Birdsall.....	Jan. 6, 1897	4 00 a day
do	W. R. Borst.....	Mar. 3, 1897	4 00 a day
do	F. A. Brotsch.....	Jan. 6, 1897	4 00 a day
do	S. M. Brownell.....	Jan. 19, 1897	4 00 a day
do	Francis R. Buell.....	Jan. 28, 1897	4 00 a day
do	C. C. Burns.....	Mar. 30, 1897	4 00 a day
do	John Burns.....	Jan. 6, 1897	4 00 a day
do	Robert C. Burns.....	Jan. 6, 1897	4 00 a day
do	James W. Busteed.....	Mar. 30, 1897	4 00 a day
do	Ezra T. Clark.....	Jan. 7, 1897	4 00 a day
do	Frederick T. Clark.....	Jan. 6, 1897	4 00 a day
do	Richard Coburn.....	Jan. 28, 1897	4 00 a day
do	H. J. Coupland.....	Mar. 24, 1897	4 00 a day
do	A. E. Coy.....	Mar. 24, 1897	4 00 a day
do	Martin T. Crahan.....	Jan. 15, 1897	4 00 a day
do	R. H. Crippen.....	Mar. 24, 1897	4 00 a day
do	B. I. Crocker.....	Jan. 15, 1897	4 00 a day
do	Washington Dayton.....	Jan. 6, 1897	4 00 a day
do	J. L. Decker.....	Mar. 15, 1897	4 00 a day
do	George T. De Forest.....	Feb. 17, 1897	4 00 a day
do	W. J. Dempsey.....	Feb. 26, 1897	4 00 a day
do	John C. Dillman.....	Jan. 19, 1897	4 00 a day
do	John E. Drummond.....	Jan. 25, 1897	4 00 a day
do	C. D. Dutcher.....	April 7, 1897	4 00 a day
do	W. F. Edgerton.....	Jan. 15, 1897	4 00 a day
do	Alfred Evens.....	Jan. 5, 1897	5 00 a day
do	Charles E. Fogg.....	Feb. 26, 1897	4 00 a day
do	Monty H. Gibson.....	Feb. 25, 1897	4 00 a day
do	Wm. J. Gillis.....	Jan. 6, 1897	4 00 a day
do	E. J. Green.....	Jan. 19, 1897	4 00 a day
do	Alvah P. Gregg.....	Feb. 4, 1897	4 00 a day
do	Paul J. Gregory.....	Jan. 6, 1897	4 00 a day
do	Thomas L. Hadlow.....	Jan. 5, 1897	4 00 a day
do	Joseph Hanigan.....	Mar. 15, 1897	4 00 a day
do	Joseph H. Harris.....	Feb. 25, 1897	4 00 a day
do	Emerson G. Hidley.....	Mar. 30, 1897	4 00 a day
do	Harry M. Hooker.....	Jan. 6, 1897	4 00 a day

NEW YORK CIVIL SERVICE COMMISSION.

1033

Department of Public Works—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Inspector	H. F. Hughes	April 3, 1897	\$4 00 a day
do	O. T. Humphrey	April 1, 1897	4 00 a day
do	James H. Jackson	Jan. 6, 1897	4 00 a day
do	Horatio Jones	Jan. 6, 1897	4 00 a day
do	I. C. Joralemon	Jan. 7, 1897	4 00 a day
do	Thomas F. Kearney	Jan. 19, 1897	4 00 a day
do	E. W. Kelderhouse	Feb. 25, 1897	4 00 a day
do	Robert Kellam	Jan. 22, 1897	4 00 a day
do	John Kenney, Jr.	Jan. 7, 1897	4 00 a day
do	Victor Kline	Jan. 15, 1897	4 00 a day
do	W. H. Klinkhart	Feb. 25, 1897	4 00 a day
do	Jacob Kolb	April 3, 1897	4 00 a day
do	Henry Kunze	Jan. 15, 1897	4 00 a day
do	William B. Laudreth	Jan. 5, 1897	4 00 a day
do	Charles M. Leet	Jan. 7, 1897	4 00 a day
do	David H. Lewis	Feb. 3, 1897	4 00 a day
do	Egbert P. Lincoln	Jan. 19, 1897	4 00 a day
do	Eugene L. Loveridge	Jan. 6, 1897	4 00 a day
do	Claude Ludington	Mch. 24, 1897	4 00 a day
do	Thomas McMorraw	Jan. 19, 1897	4 00 a day
do	Henry McMullen	Feb. 5, 1897	4 00 a day
do	John J. McNamara	Jan. 22, 1897	4 00 a day
do	Joseph E. McNary	Feb. 23, 1897	4 00 a day
do	D. A. Marcille	April 3, 1897	4 00 a day
do	C. E. Martin	Feb. 17, 1897	4 00 a day
do	Dudley D. N. Marvin	Jan. 5, 1897	4 00 a day
do	George C. Mills	Jan. 6, 1897	4 00 a day
do	B. W. Moon	Mch. 25, 1897	4 00 a day
do	M. J. Mulloy	Mch. 30, 1897	4 00 a day
do	Anson J. Osborn	Mch. 22, 1897	4 00 a day
do	E. C. Parsons	Mch. 5, 1897	4 00 a day
do	Edwin T. Perry	Mch. 19, 1897	4 00 a day
do	William D. Phelan	Mch. 14, 1897	4 00 a day
do	John Phillips	Mch. 5, 1897	4 00 a day
do	Arch. N. Preston	Mch. 5, 1897	4 00 a day
do	James Quinn	Feb. 3, 1897	4 00 a day
do	Peter Quinn	Feb. 17, 1897	4 00 a day
do	Thomas Quinn	Feb. 12, 1897	4 00 a day
do	Edward Ready	Jan. 19, 1897	4 00 a day
do	Herbert J. Reith	Jan. 5, 1897	4 00 a day
do	James D. Ringwood	Jan. 7, 1897	4 00 a day
do	James Robinson	Mch. 24, 1897	4 00 a day
do	P. H. Ryan	Feb. 26, 1897	4 00 a day
do	William H. Ross	April 7, 1897	4 00 a day
do	Maurice J. Sheahan	Jan. 19, 1897	4 00 a day
do	James P. Shearer	Jan. 5, 1897	4 00 a day
do	O. R. Sheldon	Feb. 17, 1897	4 00 a day
do	William S. Shepard	Jan. 6, 1897	4 00 a day
do	William Shine	Mch. 31, 1897	4 00 a day
do	James Sinn	April 7, 1897	4 00 a day
do	John C. Smith	Jan. 6, 1897	4 00 a day
do	W. H. Spencer	Mch. 19, 1897	4 00 a day
do	H. E. Stannard	Jan. 14, 1897	4 00 a day
do	Charles W. Stickles	Jan. 28, 1897	4 00 a day
do	John G. Sweney	April 7, 1897	4 00 a day
do	Emmet R. Sweet	Jan. 5, 1897	4 00 a day
do	W. S. Taft	Mch. 20, 1897	4 00 a day
do	C. T. Thompson	Mch. 25, 1897	4 00 a day
do	James Thornton	Feb. 25, 1897	4 00 a day
do	Fred C. Tranggott	Mch. 30, 1897	4 00 a day
do	John D. Van Bussum	Jan. 14, 1897	4 00 a day
do	Alton L. Van Tassel	Feb. 3, 1897	4 00 a day
do	Walter S. Van Vorst	Feb. 3, 1897	4 00 a day
do	James W. Vender	Jan. 7, 1897	4 00 a day
do	Charles Wallace	Feb. 17, 1897	4 00 a day
do	LeRoy Whitney	Jan. 7, 1897	4 00 a day
do	R. F. Wilcox	Mch. 20, 1897	4 00 a day
do	Lyman C. Wilder	Jan. 7, 1897	4 00 a day
do	David Wilkinson	Mar. 20, 1897	4 00 a day
do	H. J. Wooden	Mar. 30, 1897	4 00 a day
do	Grover H. Woods	Jan. 19, 1897	4 00 a day

Department of Public Works—(Continued).

Class III.

Position.	NAME.	Date of entrance into position.	Compensation.
Harbor Master and Lighthouse Keeper, Ithaca.....	James Thomas.....	April 5, 1895	\$30 00 a mo.
Harbor Master.....	Arthur Mahaney.....	April 4, 1895	75 00 a mo.
do.....	John B. Garman.....	April 4, 1895	60 00 a mo.
do.....	Charles E. Trowbridge.....	.....	50 00 a mo.
do.....	Wm. B. Alston.....	.....	50 00 a mo.
do.....	Samuel Sexton.....	.....	50 00 a mo.
do.....	Albert McCoubrey.....	.....	50 00 a mo.
do.....	Alfred Belanger.....	.....	40 00 a mo.
do.....	James Collins.....	.....	60 00 a mo.
do.....	Frederick Braun.....	.....	60 00 a mo.

Department of Excise.

Unclassified Service.

Commissioner of Excise.....	H. H. Lyman.....	April 1, 1896	\$5,000
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Class I.

Deputy Commissioner.....	Maynard N. Clement.....	April 4, 1896	4,000
Special Deputy Commissioner.....	George Hillard.....	April 9, 1896	4,000
do.....	Harry W. Michell.....	April 10, 1896	3,000
do.....	Daniel O'Grady.....	April 9, 1896	3,000
Financial Clerk.....	C. P. Williams.....	April 13, 1896	1,800
Cashier.....	F. W. Pitkin.....	April 11, 1896	2,500
do.....	H. H. Frisbie.....	April 23, 1896	2,200
do and Bookkeeper.....	Alphonso J. Meyer.....	Jan. 5, 1896	1,800
Counsel.....	P. W. Cullinan.....	April 2, 1896	4,500
do.....	A. R. Page.....	April 20, 1896	3,500
do.....	W. A. Cloutier.....	Oct. 1, 1896	2,250
do.....	William E. Schenck.....	Dec. 1, 1896	1,500
do.....	Walter S. Jenkins.....	Jan. 1, 1896	2,000
Secretary to Commissioner.....	Silas B. Lyman.....	July 1, 1897	2,000

Class II.

Acting Deputy Commissioner in charge of Special Agents.....	James P. Kirby.....	Dec. 7, 1896	2,500
Assistant Acting Deputy Commissioner in charge of Special Agents.....	A. J. Gilbert.....	Dec. 7, 1896	1,800
Confidential Clerk.....	E. A. Waugh.....	May 20, 1896	2,000
do.....	Charles M. Jerolomen.....	April 15, 1896	2,000
do.....	Charles M. Davison.....	May 1, 1896	1,600
do.....	M. F. Linquist.....	April 18, 1896	1,500
Auditor.....	Henry Gallien.....	April 13, 1896	1,800
Clerk.....	James F. Loftus.....	April 23, 1896	1,300
Assistant Financial Clerk.....	John F. Waters.....	Aug. 28, 1896	1,500
Assistant Cashier.....	Seth Wilkes.....	April 11, 1896	2,000
do.....	L. E. Chittenden.....	Sept. 1, 1896	1,500
do.....	James Connell.....	April 23, 1896	1,600
do and Bookkeeper.....	A. J. Kurtz.....	April 23, 1896	1,700
Chief Bookkeeper.....	C. D. Phillips.....	April 7, 1896	1,800
do.....	Fred A. Sandland.....	May 2, 1896	1,500
do.....	H. D. Kerr.....	April 29, 1896	1,200
do.....	E. A. Kempton.....	April 3, 1896	1,200
do.....	Charles W. Sexsmith.....	May 1, 1897	1,000
do.....	Edgar J. Hazelton.....	June 11, 1897	800
do.....	Henry A. Watkins.....	Dec. 6, 1897	1,200
do.....	Thompson Temple.....	Dec. 6, 1897	1,000
Indexer.....	Saidee B. Budd.....	June 12, 1896	750
Clerk.....	William L. Markell.....	April 3, 1896	800
do.....	Marshall M. France.....	April 14, 1896	1,200
do.....	J. A. Wertheimer.....	April 25, 1896	1,200
do.....	M. W. Evers.....	April 23, 1896	1,200
do.....	William Fletcher.....	April 25, 1896	1,200
do.....	Carl H. Hackett.....	April 25, 1896	1,200
do.....	Joseph Kahn.....	April 25, 1896	1,200
do.....	Simon Kaufman.....	April 25, 1896	1,200
do.....	H. B. McAllister.....	April 25, 1896	1,200

NEW YORK CIVIL SERVICE COMMISSION.

1035

Department of Excise—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Clerk	W. J. McEwen	April 25, 1896	\$1,200
do	John F. McNeil	April 25, 1896	1,200
do	James Delaney	April 30, 1896	1,200
do	H. A. Cozzens	April 3, 1896	1,200
do	David Hovle	April 13, 1896	1,200
do	Thomas F. Graham	April 13, 1896	1,200
do	R. J. B. McCully	April 13, 1896	1,500
do	George E. Galge	April 14, 1896	1,200
do	J. S. McLaughlin	April 15, 1896	1,200
Stenographer	Elmer Blair	April 3, 1896	1,300
do	John F. Clark, Jr.	April 6, 1896	1,200
do	Percy R. Marvin	April 6, 1896	1,200
do	George A. Woodward	April 14, 1896	1,200
do	Francis M. Taylor	Nov. 6, 1896	1,000
do	Grace Dorn	April 3, 1896	1,000
do	Frances E. Coughlin	July 7, 1896	750
do	Mary M. Flanagan	July 26, 1897	600
do	Jane E. Fursman	Aug. 1, 1897	600
Page	Herbert B. Spear	April 14, 1897	216
Special Agent	Henry C. Adeo	April 22, 1896	1,200
do	H. H. Bailey	July 29, 1896	1,200
do	Andrew Benton	Sept. 15, 1896	1,200
do	Leon Bliss	July 30, 1896	1,200
do	A. B. Bradley	July 29, 1896	1,200
do	F. J. Bryant	Sept. 25, 1896	1,200
do	George B. Buttlng	April 23, 1896	1,200
do	C. H. Churchill	Nov. 10, 1896	1,200
do	H. J. Cushen	April 23, 1896	1,200
do	C. B. Dake	July 23, 1896	1,200
do	Ira N. Deyo	Aug. 4, 1896	1,200
do	Andrew Frank	April 23, 1896	1,200
do	B. G. Halsey	Nov. 24, 1896	1,200
do	J. K. P. Harris	Sept. 12, 1896	1,200
do	G. C. Hibbard	July 28, 1896	1,200
do	M. W. Johnston	Sept. 25, 1896	1,200
do	Edward Kendall	Aug. 28, 1896	1,200
do	E. S. King	Nov. 20, 1896	1,200
do	R. W. Larkin	April 23, 1896	1,200
do	E. Y. Lefever	Dec. 2, 1896	1,200
do	C. F. Lewis	Nov. 23, 1896	1,200
do	F. N. Maybee	Sept. 11, 1896	1,200
do	E. A. Manches'er	Sept. 30, 1896	1,200
do	E. A. Martin	Nov. 6, 1896	1,200
do	R. B. Maxfield	Aug. 28, 1896	1,200
do	A. B. Ostrander	July 23, 1896	1,200
do	G. W. Peck	Aug. 4, 1896	1,200
do	J. P. Pfanner	Sept. 12, 1896	1,200
do	Frank Place	July 28, 1896	1,200
do	W. C. Porter	Aug. 28, 1896	1,200
do	I. J. Rich	July 29, 1896	1,200
do	W. Robertson	Nov. 9, 1896	1,200
do	S. H. Salisbury	Oct. 1, 1896	1,200
do	George Senn	May 6, 1896	1,200
do	E. W. Steele	July 29, 1896	1,200
do	E. J. Swift	Nov. 6, 1896	1,200
do	Alfred Tanner	July 27, 1896	1,200
do	W. L. Turner	April 22, 1896	1,200
do	H. Waterman	Nov. 2, 1896	1,200
do	C. A. Weaver	Aug. 17, 1896	1,200
do	R. G. Woods	Nov. 23, 1896	1,200
do	D. B. Stillman	Nov. 12, 1896	1,200
do	Jacob M. Blatner	Jan. 22, 1897	1,200
do	George D. Chichester	May 11, 1897	1,200
do	Ferdinand Dreyer	July 28, 1897	1,200
do	Harlan M. Fisher	Jan. 11, 1897	1,200
do	Henry George	Mch. 15, 1897	1,200
do	John C. McDonough	May 1, 1897	1,200
do	Edward McLeer	May 11, 1897	1,200
do	M. J. McPhillips	April 30, 1897	1,200
do	Charles P. Sanford	July 24, 1897	1,200
do	Charles A. Smith	July 28, 1897	1,200
do	George W. Smith	July 16, 1897	1,200
do	John A. Wilbur	July 28, 1897	1,200
do	William H. Liddle	Dec. 9, 1897	1,200

FIFTEENTH REPORT OF THE

Department of Agriculture.
Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Commissioner.....	Charles A. Wieting.....	April 29, 1896	\$4,000

Class I.

Assistant Commissioner.....	George L. Flanders.....	May 13, 1884	2,500
Special Detective.....	J. Miller Esmev.....	April 14, 1897	900

Class II.

Assistant Commissioner.....	Frederick H. Kracke.....	June 1, 1896	2,500
do	Henry S. Ambler.....	June 1, 1896	2,500
do	T. James Owens.....	Oct. 8, 1896	1,500
do	S. Brown Richardson.....	Oct. 8, 1896	1,500
do	Verlett C. Beebe.....	July 6, 1896	1,500
do	William T. Hughes.....	June 1, 1896	1,500
do	Asa L. Twitchell.....	May 15, 1896	1,500
do	James P. Clark.....	Feb. 1, 1896	1,500
Directors of Farmers' Institutes.	F. E. Dawley.....	July 7, 1896	2,000
Veterinary Agent.....	Michael Quigley.....	July 1, 1893	2,000
Clerk.....	John Evans.....	Aug. 19, 1897	400
Stenographer.....	Helen F. Roseman.....	Aug. 19, 1897	400
do	Elizabeth A. Dowd.....	Sept. 27, 1897	400
Chemist.....	Theo. J. Bradley.....	July 22, 1897	* \$3 per day
do	William E. Walker.....	Dec. 3, 1897	\$480
do	Hugh C. Troy.....	May 1, 1897	1,300
do	Edward J. Wheeler.....	Aug. 15, 1894	2,000
do	John A. Miller.....	Nov. 1, 1892	1,300
do	J. C. Willson.....	June 10, 1893	600
do	J. F. Geisler.....		\$6 per analysis
do	S. A. Lattimore.....	Dec. 1, 1896	5 per analysis
do	E. G. Love.....		6 per analysis
do	W. E. McDuffie.....	Jan. 1, 1893	5 per analysis
do	William M. Smith.....		6 per analysis
do	Sillwell & Gladding.....		6 per analysis
do	F. P. Van Denburgh.....		5 per analysis
do	E. R. Whitney.....		5 per analysis
Agent.....	C. H. Allen.....	Jan. 1, 1894	\$730
do	George B. Babcock.....	June 1, 1894	900
do	Walter J. Bennett.....	June 26, 1895	900
do	George Bernhard.....	Sept. 10, 1899	900
do	Charles Burke.....	June 1, 1891	1,300
do	Archibald D. Clark.....	Sept. 10, 1885	1,300
do	W. J. Corbett.....	July 1, 1889	730
do	John J. Coughlin.....	June 1, 1889	900
do	M. Dugan.....		900
do	John R. Earl.....	Feb. 1, 1893	900
do	George B. Fellows.....	Aug. 21, 1894	1,300
do	Michael Galligan.....	June 1, 1894	900
do	J. M. Hutchings.....	Jan. 1, 1894	900
do	Charles S. Klogg.....	Oct. 4, 1894	900
do	Robert McAdams, jr.....	Aug. 12, 1896	900
do	John McGuire.....	April 1, 1893	1,200
do	Charles J. Morgenstern.....	July 1, 1889	900
do	Charles F. Nash.....	Sept. 1, 1892	730
do	John F. Norton.....	Mar. 15, 1892	1,200
do	Simon Nussbaum.....	July 1, 1886	1,200
do	R. H. Palmer.....	July 1, 1890	360
do	J. M. Quigley.....	Aug. 1, 1891	900
do	William B. Reading.....	June 26, 1896	900
do	H. A. Rees.....	Aug. 1, 1891	1,200
do	Charles Sears.....	Sept. 25, 1896	900
do	Nicholas Van Horne.....	July 15, 1896	900
do	Charles B. Wakefield.....	June 26, 1896	730
do	E. F. Burke.....	April 1, 1897	900
do	Fred C. Slaughter.....	Sept. 1, 1897	730
do	Charles A. Warren.....	April 30, 1897	900

* Actual time.

Department of Agriculture—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Agent and Cheese Expert.....	George A. Smith.....	July 7, 1896	\$1,200
do do	W. W. Hall.....	June 28, 1898	1,200
Agent and Vinegar Expert	William B. Mynderse.....	Sept. 4, 1896	720
Agent and Cheese Instructor	M. F. Morgan	Sept. 17, 1889	1,200
Agent and Proof Reader.....	V. P. Douw Lee.....	Aug. 29, 1894	1,500
Dairy Bacteriologist and Expert..	Abram L. Haines, M. D....	Nov. 24, 1897	900

Factory Inspector.

Unclassified Service.

Factory Inspector	Daniel O'Leary.....	May 1, 1896	3,000
Assistant Factory Inspector	Joseph H. Barker.....	May 1, 1896	2,500

Class I.

Private Secretary.....	Joseph R. Mansion.....	Oct. 1, 1896	1,800
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Class II.

Deputy Factory Inspector.....	Cornellus S. Conde.....	Aug. 1, 1896	1,200
do do	George Serebetz.....	July 16, 1896	1,200
do do	William J. Neely.....	Aug. 1, 1896	1,200
do do	James Davie	May 1, 1895	1,200
do do	Charles B. Ash.....	May 16, 1896	1,200
do do	Bernard J. McCarthy.....	Mar. 28, 1893	1,200
do do	William E. Tibbs.....	June 1, 1896	1,200
do do	Dennis C. Sullivan	Oct. 1, 1892	1,200
do do	Joseph O'Rourke	May 1, 1895	1,200
do do	Frank S. Nash	Feb. 1, 1895	1,200
do do	James McLusky	Aug. 26, 1896	1,200
do do	Thomas D. Sherlock.....	Oct. 1, 1896	1,200
do do	Ella Nagle.....	Mar. 28, 1893	1,200
do do	Angie M. Brown.....	July 1, 1895	1,200
do do	Kate L. Kane	July 11, 1895	1,200
do do	R. B. Gourlie.....	Sept. 16, 1896	1,200
do do	A. L. Greene.....	Sept. 16, 1896	1,200
do do	Josie A. Reilly	Oct. 1, 1896	1,200
do do	Martha R. Almy	April 1, 1897	1,200
do do	William B. Anderson	Aug. 17, 1897	1,200
do do	Jay Farrier	April 1, 1897	1,200
do do	M. J. Flanagan.....	Aug. 17, 1897	1,200
do do	Lily F. Foster.....	Sept. 18, 1897	1,200
do do	Charles L. Halberstadt, Jr.	Aug. 17, 1897	1,200
do do	James W. Ireland.....	Feb. 1, 1897	1,200
do do	Daniel Kelly.....	Aug. 17, 1897	1,200
do do	James N. Stewart.....	April 1, 1897	1,200
do do	Henry L. Schnur.....	Dec. 1, 1897	1,200
do do	Louise Cuthell	Dec. 29, 1891	1,200
Bakery Inspector.....	Dennis J. Hanlon	April 9, 1896	1,200
do	Melvin H. Taylor.....	May 15, 1896	1,200
do	Charles H. Roberts	July 1, 1895	1,200
do	Gilbert I. Harmon	Aug. 1, 1896	1,200
do	James L. Gernon	Dec. 3, 1896	1,200
do	William D. Hudson.....	April 9, 1896	1,200
Inspector.....	A. Richard King	Nov. 1, 1895	1,200
Expert Examiner of Machinery..	Hiram Blanchard.....	July 31, 1895	1,500
Expert Examiner of Records	Electa R. Lockwood	Jan. 15, 1894	1,500
Assistant Examiner of Records..	Herbert H. Reynolds	Dec. 1, 1896	1,500
Clerk.....	Jessie M. M. Sweeney.....	Jan. 9, 1894	1,320
Messenger	Ambrose J. O'Neil.....	April 3, 1894	1,020
Stenographer and Typewriter....	Mary F. Fealey	Aug. 1, 1896	900

Department of Public Buildings.

Class I.

Superintendent.....	Frederick Easton.....	Jan. 22, 1895	5,000
Deputy Superintendent.....	Jacob V. Jacobs	April 1, 1895	2,500

Department of Public Buildings—(Continued).

Class II.

Position.	NAME.	Date of entrance into position.	Compensation.
Chief Engineer.....	William J. Norwood.....	June, 1883	\$2,500
Engineer.....	George A. Whish.....	January, 1894	1,080
Clerk.....	C. M. Griswold.....	October, 1887	2,000
Janitor Geological Hall.....	D. P. Stowell.....	April, 1896	1,200
Assistant Storekeeper.....	A. S. Howell.....	June, 1891	1,200
Chief Orderly.....	Henry Fairchild.....	June, 1883	1,500
Orderly.....	Theodore Brink.....	Feb., 1895	750
do.....	A. Cooper.....	March, 1895	750
do.....	Otis Giffin.....	March, 1895	750
do.....	H. B. Hogan.....	March, 1895	750
do.....	A. B. Hadley.....	March, 1895	750
do.....	M. A. Pruyn.....	Feb., 1895	750
do.....	S. M. Simkins.....	March, 1895	750
do.....	Frederick Whiler.....	March, 1895	750
Watchman.....	J. W. Mullens.....	Feb., 1895	900
Chief Fireman.....	Charles Scannell.....	June, 1883	1,080
Fireman.....	E. E. Blakeman.....	June, 1887	900
Tin and Coppersmith.....	George B. Conley.....	Dec., 1891	1,080
Plumber.....	James Coulter.....	Feb., 1895	\$3 50 per day
Pumps.....	J. H. Hawkins.....	Feb., 1895	\$750
do.....	George W. McCune.....	April, 1896	750
do.....	Fred Hahn.....	Sept., 1896	1,000
Machinist.....	Charles E. Tinney.....	Feb., 1895	1,200
Boiler scaler.....	Lewis F. Fisher.....	Feb., 1895	1,080
Painter.....	John Bohner.....	Feb., 1895	750
Chief Carpenter.....	John Steiger.....	Feb., 1895	1,200

Class III.

Chief Porter.....	Thomas Campbell.....	Feb., 1895	600
Porter.....	John E. Bruce.....	March, 1895	750
do.....	H. B. Franklin.....	June, 1893	540
do.....	S. G. Hardy.....	May, 1892	540
do.....	Henry Pinckney.....	January, 1892	540
do.....	A. P. Simpson.....	January, 1894	540
do.....	W. L. Wilson.....	Feb., 1895	540
Upholsterer.....	Henry Rummel.....	Feb., 1895	900

University of the State of New York.

Unclassified Service.

Chancellor.....	Anson Judd Upson.....	Feb. 11, 1874	None
Vice Chancellor.....	William Crosswell Doane.....	Feb. 10, 1892	None
Regent.....	Martin I. Townsend.....	April 24, 1873	None
do.....	Chauncey M. Depew.....	Jan. 31, 1877	None
do.....	Charles E. Fitch.....	Jan. 31, 1877	None
do.....	Orris H. Warren.....	April 11, 1877	None
do.....	Whitelaw Reid.....	Jan. 17, 1878	None
do.....	William H. Watson.....	Feb. 2, 1881	None
do.....	Henry E. Turner.....	Feb. 2, 1881	None
do.....	St Clair McKelway.....	Jan. 10, 1884	None
do.....	Hamilton Harris.....	Mar. 18, 1885	None
do.....	Daniel Beach.....	Mar. 18, 1885	None
do.....	Carroll E. Smith.....	Jan. 24, 1888	None
do.....	Pliny T. Sexton.....	April 15, 1890	None
do.....	T. Guilford Smith.....	April 15, 1890	None
do.....	Lewis A. Stimson.....	April 19, 1793	None
do.....	Sylvester Malone.....	Mar. 29, 1894	None
do.....	Albert Vander Veer.....	Feb. 13, 1895	None
do.....	Chester S. Lord.....	Jan. 20, 1897	None

Class I.

Secretary.....	Melvil Dewey.....	Dec. 12, 1888	\$5,000
Director of Examinations.....	James Russell Parsons, Jr.....	Dec. 15, 1890	4,000

NEW YORK CIVIL SERVICE COMMISSION.

1039

University of the State of New York—(Continued).

Class II.

ADMINISTRATIVE.

Position.	NAME.	Date of entrance into position.	Compensation.
Secretary's Assistant.....	May Seymour.....	April 1, 1889	\$2,100
Head Clerk.....	Henry I. Knickerbocker.....	Oct. 1, 1888	1,800
Printing Clerk.....	Linda D. Puffer.....	Dec. 20, 1898	980
Head Stenographer.....	Frank T. Boland.....	June 12, 1891	1,200
Bookkeeper.....	Harriett B. Kennedv.....	Oct. 5, 1891	900
Report Clerk.....	Alice C. McCormack.....	Dec. 15, 1891	780
Charter Clerk.....	Elizabeth G. Fealey.....	Feb. 6, 1892	680
Clerk.....	William L. Widdemer.....	July 17, 1894	600
do.....	Martha L. Phelps.....	Feb. 2, 1891	680
do.....	Grace D. Allen.....	Feb. 8, 1892	600
Clerk and Letterer.....	Edward R. Evans.....	Mar. 9, 1897	480
Junior Clerk.....	Eleanor McKelvey.....	Feb. 14, 1896	600
do.....	Agnes E. Flinn.....	Aug. 21, 1898	480
do.....	Catharine Benjamin.....	Feb. 24, 1896	480
do.....	Anna F. Frost.....	Jan. 4, 1897	300
do.....	Laura B. Carey.....	Mar. 31, 1896	360
Page.....	James J. Nolan.....	Nov. 28, 1892	480

Inspection Division.

Head Inspector.....	Charles F. Wheelock.....	Oct. 6, 1891	3,000
Literature Inspector.....	Richard Jones.....	June 9, 1896	3,000
Inspector.....	Charles N. Cobb.....	April 20, 1893	2,640
do.....	Arthur G. Clement.....	July 8, 1895	2,400
English Inspector.....	Charles Davidson.....	Aug. 3, 1896	2,400
Inspector.....	Roland S. Keyser.....	Aug. 10, 1892	2,100
Apparatus Inspector.....	James H. Gibson.....	May 9, 1892	1,260

Examination Department.

Director's Clerk.....	Herbert J. Hamilton.....	Aug. 24, 1891	1,200
Examiner in Library Science.....	Salome Cutler Fairchild.....	April 1, 1889	1,500
Examiner.....	Joseph W. Ellis.....	Aug. 4, 1890	1,200
Assistant.....	I. O. Crissey.....	June 19, 1895	1,260
do.....	Henry L. Taylor.....	July 13, 1896	1,500
Examiner.....	Annie T. Keyser.....	July 1, 1893	1,200
do.....	H. H. Snell.....	June 20, 1895	\$5 per day
do.....	Willis L. Weedon.....	Mar. 3, 1897	\$1,200
do.....	E. S. Frisbee.....	July 20, 1896	1,200
do.....	Frederick P. Kidder.....	Oct. 1, 1896	1,080
Assistant.....	Sara Elizabeth Stewart.....	July 26, 1896	960
Examiner in Drawing.....	Ella R. Richardson.....	Oct. 30, 1891	900
Examiner.....	Annie M. Tremaine.....	June 25, 1895	900
do.....	Sara L. Gardiner.....	June 26, 1895	720
do.....	George H. Quay.....	April 17, 1895	720
do.....	Elizabeth L. Young.....	June 7, 1895	660
do.....	Laura M. Secor.....	July 8, 1896	660
do.....	Alice H. Hall.....	Feb. 1, 1897	600
do.....	Henry S. Knight.....	April 28, 1896	600
do.....	May R. Fitzpatrick.....	July 16, 1896	600
do.....	Margaret Freeman.....	Feb. 1, 1897	600
do.....	Mary S. L. Strout.....	Feb. 1, 1897	600
do.....	Anna M. Reiten.....	June 26, 1895	480
do.....	Eugene C. Gibbons.....	Feb. 6, 1895	480
do.....	Grace A. Jones.....	Feb. 19, 1897	360
Record Clerk.....	Adele B. Alexander.....	Nov. 1, 1878	1,080
Credentia! Clerk.....	Ida G. MacMillan.....	Dec. 18, 1889	1,080
Medical Record Clerk.....	Katharine L. McDonough.....	July 5, 1888	900
Printing Clerk.....	Frederic M. Baker.....	Mar. 1, 1891	900
Sub-Record Clerk.....	Isabel Lamont.....	Nov. 18, 1886	720
Clerk.....	Mary Agnes O'Connor.....	July 31, 1891	720
Sub-Credentia! Clerk.....	Minnie L. O'Neil.....	Oct. 5, 1891	660
Stenographer.....	Minnie L. Vanderzee.....	Oct. 18, 1890	720
Engrosser.....	Adelaide E. Turner.....	Mar. 1, 1896	540
Compositor.....	John V. McCann.....	Dec. 31, 1895	780
Clerk.....	Ella R. McDowell.....	Aug. 17, 1891	540
do.....	Katharine I. Smith.....	Oct. 6, 1891	540
do.....	Julia Z. Mahoney.....	Mar. 18, 1893	540

Examination Department—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Clerk	Veronica Sheehan.....	Feb. 28, 1894	\$480
do	May A. G. Mullins.....	April 3, 1894	480
do	Anna M. Downs.....	Jan. 31, 1895	380
do	Margaret Finnerty.....	Jan. 31, 1895	380
do	Edward J. Mullen.....	Feb. 19, 1895	360
do	Grace E. Barber.....	Mar. 8, 1895	360
Clerk and Letterer.....	Frank J. Kiskern.....	Mar. 11, 1897	480
Expert Penman.....	Nellie Guardineer.....	May 11, 1897	360
Junior Clerk.....	Mary F. Ronan.....	Feb. 5, 1892	540
do	Anna M. Wels.....	June 11, 1892	540
do	Katherine L. Cassidy.....	April 12, 1893	540
do	Julia M. Ryan.....	April 15, 1893	480
do	Marcia M. Vander Veer.....	July 31, 1894	540
do	Loretta G. Bowen.....	June 20, 1894	480
do	Minnie I. Bull.....	June 26, 1894	420
do	Laura Stephens.....	July 9, 1894	480
do	Francis X. Thompson.....	Oct. 5, 1897	360
do	Sophie F. Reiten.....	Feb. 21, 1895	360
do	Kathryn A. Matamore.....	Mar. 26, 1895	360
do	Marcella M. Brennan.....	Mar. 31, 1896	300
do	Katherine Poole.....	Mar. 18, 1896	240
do	Isabella C. Taylor.....	July 18, 1896	240
do	Regina G. Cook.....	Feb. 1, 1897	240
do	Florence R. Derby.....	Feb. 1, 1897	240
do	Elizabeth Eisenmann.....	Feb. 1, 1897	240
do	Mary C. G. Martin.....	Feb. 1, 1897	240
do	Agnes T. Ryan.....	Feb. 1, 1897	240
do	Gertrude R. Galiczenstein.....	Oct. 14, 1897	240
do	Ruth Kemper.....	Oct. 18, 1897	240
do	Nora A. Sheehy.....	Oct. 18, 1897	240

Public Libraries Division.

Inspector.....	W. R. Eastman.....	Aug. 1, 1892	2,280
Director's Assistant.....	Myrtila Avery.....	Nov. 1, 1893	1,500
Cataloguer.....	Martha T. Wheeler.....	June 14, 1890	1,080
Assistant.....	Grace L. Betheridge.....	Feb. 9, 1894	900
do	Lena S. Vanderlip.....	June 9, 1893	720
do	Anna L. Morse.....	Aug. 16, 1897	720
do	Elizabeth Andrews.....	Aug. 16, 1897	600
Sub-cataloguer.....	Mary Ellis.....	Nov. 27, 1893	720
do	Lottie Wemple De Nike.....	Feb. 4, 1892	600
do	Helen A. Scopes.....	Jan. 21, 1895	360
Clerk.....	Emelle Phillips.....	Feb. 4, 1895	420
Junior Clerk.....	Nellie S. Mesick.....	Sept. 1, 1895	420
do	Elizabeth B. Wolston.....	Feb. 20, 1896	360
do	E. May Greenman.....	Aug. 1, 1896	420
do	Elizabeth Glibert.....	Jan. 4, 1897	300
do	Elisa Van.....	April 1, 1895	360
Page.....	Gerald Griffin.....	Dec. 22, 1892	420
do	Michael J. Driscoll.....	Sept. 12, 1892	360

State Library.

Senior Librarian.....	Walter S. Blacoe.....	April 1, 1899	2,400
Archivist.....	George R. Howell.....	Feb. 15, 1873	1,200
Reference Librarian.....	Dunkin V. R. Johnston.....	June 1, 1883	2,000
Director's Assistant.....	Florence Woodworth.....	April 1, 1899	1,500
Head Cataloguer.....	Ada Alice Jones.....	April 1, 1899	1,200
Classifier.....	Ada Bunnell.....	July 14, 1891	1,080
Reference Assistant.....	Judson T. Jennings.....	April 15, 1899	1,080
do	George F. Bowerman.....	Feb. 1, 1897	900
Cataloguer.....	Mary E. Hawley.....	Oct. 1, 1893	900
do	Mary L. Sutliff.....	June 8, 1891	720
do	Charlotte S. Fearey.....	Oct. 1, 1893	720
do	Jenny L. Christman.....	Oct. 1, 1894	720
Catalogue Curator.....	Minnie E. Budd.....	Jan. 1, 1894	720
Assistant.....	Charles A. Flagg.....	July 3, 1896	720
do	James I. Weyer.....	Sept. 1, 1897	600
Accession Clerk.....	Dora Schlesinger.....	Feb. 2, 1893	720
Stenographer.....	Harriett A. Chapman.....	Aug. 17, 1891	120

State Library—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Sub-cataloguer.....	Minnie Sennett	July 11, 1893	\$600
do	Martha H. Vane	Mar. 6, 1894	480
Shelf Lister.....	Anna B. Sennett	Mar. 1, 1894	540
Sub-shelf Lister.....	Mabel L. Thompson.....	Nov. 26, 1893	360
Loan Clerk.....	Oscar F. Treder	Feb. 28, 1895	480
do	Henry Hirschfeld.....	Feb. 28, 1896	360
Junior clerk.....	George T. Waterman.....	Oct. 29, 1894	480
do	Joseph Gavit	Feb. 24, 1896	360
do	Grace M. Frost.....	Aug. 1, 1895	360
do	Louise M. Boutelle.....	Mar. 18, 1896	300
do	May C. Nerny	Dec. 28, 1896	300
do	E. Stanley Frost	Oct. 14, 1897	240
do	Anna Rodgers .....	.....	300

State Library, Law Division.

Law Librarian.....	Stephen B. Griswold	June 8, 1898	2,000
Sub-librarian.....	Harry E. Griswold.....	July 14, 1890	1,200
Sub-cataloguer.....	Ellen F. Sands	Oct. 1, 1892	480
Junior Clerk	Z. Francis Shafer	June 1, 1894	480
do	Howard La Moure	July 25, 1891	480
do	George Burton.....	Oct. 14, 1897	240

State Museum.

Unclassified Service.

Botanist.....	Charles H. Peck.....	Jan. 1, 1867	2,400
Entomologist	J. A. Lintner.....	Jan. 1, 1874	2,400

Class II.

Director.....	F. J. H. Merrill.....	Dec. 10, 1890	2,400
Entomologist's Assistant.....	Ephraim P. Felt.....	Sept. 14, 1895	1,020
Assistant	J. Nelson Nevius.....	Jan. 5, 1895	780
Page.....	Joseph Morje	Dec. 23, 1892	.....
Expert (temporary).....	R. M. Bagg, Jr.....	Nov. 1, 1897	\$50 00 a mo.

JANITORIAL.

Janitor.....	Harrison Marvin.....	Dec. 15, 1893	\$300
Elevator man	William Degan	Mar. 23, 1895	600
do	John MacDonald.....	Dec. 30, 1890	540
do	Martin F. Lynch.....	Aug. 2, 1894	480

BINDERY.

Foreman.....	Walter Roche.....	June 9, 1890	\$20 00 per week
Forwarder.....	H. DeRouville.....	Nov. 3, 1890	12 00 per week

Class III.

JANITORIAL.

Night Watchman	Samuel J. Abbot.....	June 13, 1897	\$720
Porter.....	Isaac Abrams	Dec. 15, 1893	600
do	John D. Nichols.....	Jan. 20, 1894	600
do	Joseph MacDonald.....	Jan. 25, 1897	420

BINDERY.

Sub-forwarder.....	James DeRouville.....	April 6, 1891	Paid by piece
Sewer.....	Anna J. Keeler.....	April 4, 1892	\$6 00 per week
Apprentice.....	Frank B. Markey.....	Feb. 10, 1896	7 50 per week
do	Anna M. Burns.....	Feb. 5, 1896	5 00 per week

State Geologist and Palaeontologist.

Unclassified Service.

State Geologist and Palaeontologist.....	James Hall.....	1837	\$3,600
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State Geologist and Palaeontologist—(Continued).

Class II.

Position.	NAME.	Date of entrance into position.	Compensation.
Assistant	John M. Clarke.....	Jan. 1, 1886	\$2,000
Draughtsman	George B. Simpson	1888	1,800
Lithographer	Philip Ast.	1871	1,500
Confidential Clerk.....	Jacob Van Derloo	Dec. 1, 1887	1,400
Assistant, machinery.....	Martin Sheehy.....	May 1, 1877	900
Assistant in field work.....	D. D. Luther.....	June 1, 1895	1,200
Expert	Heinrich Ries	Jan. 9, 1897	.....

Prison Commission.

Unclassified Service.

Commissioner.....	Lispenard Stewart.....	June 25, 1895	500
do	Charles J. Boyd.....	June 25, 1895	500
do	Nelson Davenport	June 25, 1895	500
do	William R. Remington	June 25, 1895	500
do	John G. Dorrance.....	June 25, 1895	500
do	William J. Mantanye.....	June 25, 1895	500
do	Mrs. John Davenport . .	June 25, 1895	500
do	George B. Hayes.....	July 2, 1895	500

Class I.

Secretary.....	Augustus Sherman.....	Oct. 2, 1895	3,000
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Class II.

Stenographer	Helene B. Franklin	Oct. 2, 1895	1,000
Clerk	Philip G. Roosa	Sept. 14, 1897	1,000

Superintendent of State Prisons.

Unclassified Service.

Superintendent.....	Austin Lathrop	May 11, 1887	6,000
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Class II.

Clerk.....	Charles K. Baker.....	April 1, 1882	4,000
Clerk and Stenographer.....	Frederick H. Duel	Feb. 1, 1886	1,800
Indexer, Bertillon System	Florence DeForest.....	June 28, 1893	\$3 50 per day
Sales and Collecting Agent.....	F. H. Mills	Jan. 8, 1897	\$3,600

Auburn Prison.

Class I.

Agent and Warden	J. Warren Mead	Feb. 1, 1897	3,500
Chaplain	Rev. C. Herrick.....	Oct. 18, 1897	2,000
Industrial clerk.....	O. C. Hall	Mar. 30, 1897	1,500

Class II.

Principal Keeper.....	J. O. Shaw	Jan. 22, 1889	2,000
Physician	Conant Sawyer, M. D	Aug. 1, 1888	2,000
Stenographer and Recorder.....	John N. Ross.....	May 1, 1893	1,300
Measurements Bertillon System.....	George Wels	Dec. 17, 1889	1,300
Yard Master			

Auburn Prison—(Continued).

Class II—(Continued).

Position.	NAME	Date of entrance into position.	Compensation.
Hospital Steward.....	William C. Patterson.....	Aug. 2, 1888	\$1,200
Storekeeper.....	Lyman S. Gibbs.....	Dec. 24, 1894	1,200
Hallkeeper.....	M. J. Cunningham.....	Jan. 4, 1897	1,200
Kitchenkeeper.....	Allen P. Tupper.....	May 1, 1897	1,200
Apothecary.....	Lawrence B. Lamb.....	Feb. 9, 1897	900
Supt. cloth making industry.....	Cleophas Corbett.....	Mar. 12, 1897	\$3 25 per day
Supt. cabinet making industry.....	James H. Bean.....	May 1, 1897	8 00 per day
Keeper.....	G. W. Allen.....	June 1, 1889	\$900
do.....	James R. Angel.....	Mar. 1, 1883	900
do.....	C. S. Bills.....	May 8, 1888	600
do.....	Almon Boys.....	Feb. 14, 1880	900
do.....	John Beachman.....	July 15, 1893	900
do.....	Fred. Barber.....	Mar. 31, 1898	900
do.....	George L. Brown.....	Sept. 1, 1187	900
do.....	John Crowley.....	June 18, 1892	900
do.....	J. H. Donnelly.....	July 1, 1898	900
do.....	C. H. Edwards.....	Sept. 27, 1892	900
do.....	D. J. Grant.....	July 13, 1892	900
do.....	Peter Hahn.....	Jan. 9, 1894	900
do.....	J. J. Holmes.....	Oct. 29, 1888	900
do.....	George Jenkins.....	July 16, 1872	900
do.....	Thomas Linner.....	June 18, 1891	900
do.....	E. V. Lathrop.....	Dec. 17, 1889	900
do.....	John Martin.....	June 18, 1891	900
do.....	William E. Murray.....	Feb. 15, 1892	900
do.....	John Murray.....	May 4, 1893	900
do.....	S. L. Meddaugh.....	Aug. 20, 1886	900
do.....	James Nangle.....	May 2, 1891	900
do.....	Frank Roach.....	July 26, 1893	900
do.....	E. P. Rich.....	Dec. 21, 1893	900
do.....	A. L. Smith.....	July 6, 1887	900
do.....	H. F. Sexton.....	Sept. 27, 1891	900
do.....	J. T. Sullivan.....	July 19, 1892	900
do.....	B. W. Topping.....	Jan. 4, 1895	900
do.....	M. S. Walsh.....	Aug. 10, 1893	900
do.....	Dawrence Donlan.....	Oct. 1, 1876	900
do.....	Thomas Gorman.....	Aug. 16, 1890	900
do.....	N. H. Brill.....	July 1, 1897	900
Guard.....	William H. Barnes.....	May 1, 1897	780
do.....	A. W. Benedict.....	May 1, 1897	780
do.....	George N. Carr.....	May 1, 1897	780
do.....	Christian Haas.....	May 1, 1897	780
do.....	John T. Hagar.....	May 1, 1897	780
do.....	John C. Hiser.....	May 4, 1897	780
do.....	John D. Murray.....	May 1, 1897	780
do.....	Richard Quain.....	June 1, 1897	780
do.....	E. W. Allen.....	Oct. 1, 1887	780
do.....	Howard Bates.....	Dec. 4, 1894	780
do.....	James Bray.....	July 15, 1880	780
do.....	John Flanty.....	July 13, 1892	780
do.....	William Gard.....	July 19, 1892	780
do.....	Dennis Ganey.....	Dec. 31, 1894	780
do.....	James Griffin.....	Aug. 1, 1883	780
do.....	Ray Hines.....	Sept. 11, 1893	780
do.....	Joseph Herman.....	Sept. 1, 1894	780
do.....	M. F. Kinney.....	Aug. 1, 1893	780
do.....	J. J. McGuigan.....	Nov. 4, 1893	780
do.....	William F. McCabe.....	July 16, 1892	780
do.....	Frank Martin.....	Jan. 1, 1891	780
do.....	John Mullaly.....	Aug. 10, 1891	780
do.....	W. E. Phillips.....	April 1, 1896	780
do.....	Michael Ryan.....	May 27, 1893	780
do.....	H. J. Rhodes.....	April 1, 1896	780
do.....	G. B. Stuppelbean.....	Dec. 13, 1894	780
do.....	Oscar Saunders.....	Sept. 1, 1894	780
do.....	Patrick White.....	April 17, 1894	780
do.....	John Winters.....	Aug. 2, 1886	780
do.....	B. Freshover.....	June 21, 1893	780
do (substitute).....	Michael B.yle.....	Oct. 31, 1893	780
do.....	F. E. Murphy.....	April 27, 1893	780
Death Watch.....	Daniel McNaughton.....	July 30, 1887	780
do.....	Patrick Hollan.....	Dec. 19, 1893	780

FIFTEENTH REPORT OF THE

Auburn Prison—(Continued).

Class III.

Position.	NAME.	Date of entrance into position.	Compensation.
Quarry Foreman.....	Patrick Flynn.....	Nov. 1, 1891	\$3 25 per day
Foreman.....	F. H. Stout.....	Mar. 12, 1896	\$3 00
do.....	Thomas M. Boylen.....	Sept. 20, 1897	2 50 per day
do.....	George S. Coneybear.....	Sept. 20, 1897	2 50 per day
do.....	Robert Adamson.....	May 1, 1897	2 25 per day
do.....	Andrew E. Corbett.....	Oct. 1, 1897	2 25 per day
do.....	Charles Currier.....	Sept. 8, 1897	2 50 per day
do.....	Levi T. Davis.....	Oct. 18, 1897	2 25 per day
do.....	Hugh Fulton.....	Sept. 6, 1897	2 25 per day
do.....	William Fulton.....	May 1, 1897	2 25 per day
do.....	Arthur M. Gaylord.....	May 1, 1897	3 00 per day
do.....	Edwin Hubbard.....	Dec. 1, 1897	\$3 40
do.....	Andrew Magnusson.....	Aug. 1, 1897	2 50 per day
do.....	Henry C. Mills.....	Mar. 1, 1897	\$7 00
do.....	Henry W. Rogers.....	May 12, 1897	2 00 per day

Prison for Women, Auburn.

Class II.

Matron.....	Annie M. Welsh.....	May 27, 1893	\$1,044
Guard.....	Charles J. Westover.....	May 27, 1893	600
do.....	J. hn P. Betts.....	Oct. 2, 1893	600
do.....	William E. Dean.....	July 1, 1893	600
do.....	John M. Devore.....	May 11, 1893	600
Special Guard.....	William Gard.....	May 1, 1893	780
do.....	Chauncey Nims.....	May 1, 1893	780
Night Watchman.....	John McGarr.....	Oct. 1, 1893	600
Engineer.....	M. C. Sullivan.....	May 2, 1893	900

Class III.

Janitor and Gardener.....	Dennis Kelly.....	Sept. 22, 1893	604
Chief Attendant.....	Mary E. Connor.....	Nov. 5, 1894	580
Assistant Matron.....	Alice Nolan.....	May 12, 1893	444
do.....	Nettie Squire.....	Mar. 8, 1894	444
do.....	Alice O'Hara.....	May 1, 1897	300
Forewoman.....	Sophia Backman.....	Sept. 13, 1897	300
Janitor and Attendant.....	Louis H. Kilpatrick.....	Oct. 1, 1897	600
Attendant.....	Mary Dowling.....	Feb. 4, 1897	300
do.....	Mattie Moran.....	Feb. 4, 1897	300
do.....	Nora McCarthy.....	Mar. 20, 1893	444
Organist.....	Clara B. Gibson.....	Feb. 25, 1897	\$1 per Sunday

Clinton Prison.

Class I.

Agent and Warden.....	W. N. Thayer.....	Jan. 1, 1892	\$3,500
Chaplain.....	Rev. Anson Cheeseman.....	April 15, 1892	2,000

Class II.

Physician.....	Julius B. Ransom, M. D.....	May 15, 1889	2,000
Clerk.....	John Farnsworth.....	Sept. 1, 1892	2,000
Assistant Clerk.....	I. E. Irish.....	Feb. 1, 1894	1,500
Purchasing Agent.....	John P. Powers.....	Oct. 16, 1892	1,500
Apothecary.....	David R. Dorn.....	Nov. 18, 1897	780
Stenographer.....	Claude J. Wilkinson.....	Feb. 15, 1897	900
Clerk and Telegrapher.....	John A. Weis.....	May 10, 1897	480
Inspector.....	Johnston Hastings.....	Oct. 28, 1897	\$3 50 per day
Superintendent of Knitting Industry.....	Samuel Patterson.....	July 9, 1897	\$1,500
Master Mechanic.....	Charles W. Priest.....	May 21, 1894	1,300
Superintendent of Construction.....	Christopher Keenan.....	June 26, 1896	\$6 per day
Instructor.....	S. Judelson.....	June 1, 1894	\$300
do.....	G. Bellanger.....	May 1, 1888	500

Clinton Prison—(Continued).

Class II—(Continued).

Position	NAME	Date of entrance into position.	Compensation.
Watchman.....	Jerome E. Gay.....	Mar. 7, 1893	\$900
do	John Ahern.....	Aug. 1, 1891	600
do	M. Stevenson.....	Dec. 1, 1889	180
Engineer	Patrick Moynihan.....	June 1, 1893	900
do	Dennis E. Spellman.....	Jan. 1, 1894	900
Principal Keeper.....	Elijah G. Vogan.....	Aug. 12, 1896	2,000
Kitchen Keeper.....	John Dormer.....	Feb. 1, 1893	1,900
Hall Keeper.....	Michael Haggerty.....	Jan. 28, 1876	1,900
Yard Keeper.....	Daniel S. Reed.....	May 10, 1892	1,200
Store Keeper.....	Charles Blair.....	Aug. 12, 1890	1,900
Receiving Officer.....	Emerson E. Davis, Jr.....	Sept. 1, 1896	1,900
Keeper.....	James Clancy.....	Jan. 1, 1894	900
do	Charles B. Meader.....	Mar. 1, 1878	900
do	William L. Mead.....	Jan. 12, 1888	900
do	Judson Ellenwood.....	Dec. 31, 1893	900
do	Edward P. Lewis.....	May 1, 1893	900
do	William C. Clark.....	June 30, 1889	900
do	David E. Gay.....	April 18, 1889	900
do	Joseph E. Nash.....	Feb. 15, 1881	900
do	Charles Moon.....	Dec. 18, 1879	900
do	Robert Long.....	June 30, 1888	900
do	John M. Hanley.....	Jan. 7, 1892	900
do	Henry M. Burnham.....	Jan. 7, 1892	900
do	J. F. Keenan.....	Jan. 7, 1892	900
do	Joseph Robarge.....	Jan. 7, 1892	900
do	J. L. Mar-den.....	Mar. 1, 1892	900
do	Morgan Van Gorder.....	Feb. 1, 1892	900
do	Cornelius R. Johnson.....	April 25, 1891	900
do	John O'Leary.....	Oct. 1, 1891	900
do	Andrew J. Galligan.....	May 10, 1892	900
do	John F. Mackey.....	Feb. 5, 1892	900
do	Patrick H. Cooney.....	Jan. 7, 1892	900
do	John North.....	July 1, 1896	900
do	Henry D. Kingsley.....	July 1, 1896	900
Sergeant of Guard.....	John Foy.....	Jan. 14, 1897	900
Guard.....	John Woods.....	Feb. 17, 1892	780
do	Philip J. Kennedy.....	July 1, 1891	780
do	James N. Jennings.....	Jan. 7, 1892	780
do	Edward W. Cumm.....	Mar. 9, 1892	780
do	William Sheehy.....	May 10, 1892	780
do	Charles O. Lyman.....	June 22, 1892	780
do	William H. Delaney.....	Oct. 10, 1892	780
do	Halsey Mitchell.....	Jan. 20, 1893	780
do	J. W. C. Burdick.....	Feb. 1, 1893	780
do	James J. Morrissey.....	Feb. 1, 1893	780
do	William Murphy.....	Feb. 8, 1893	780
do	Dennis O'Brien.....	May 1, 1893	780
do	Carlos F. Morey.....	June 18, 1893	780
do	Frank Goddeau.....	June 14, 1893	780
do	Michael J. O'Neill.....	June 18, 1893	780
do	Timothy O. Howard.....	June 19, 1893	780
do	George W. Olmstead.....	Mar. 14, 1894	780
do	Patrick T. Gorton.....	April 1, 1894	780
do	William H. Skaine.....	April 2, 1894	780
do	Supplian Soplica.....	June 1, 1894	780
do	William Connors.....	June 5, 1894	780
do	Louis Priest.....	May 25, 1895	780
do	Fremont C. Meade.....	Aug. 1, 1895	780
do	Oren F. Henry.....	Sept. 21, 1895	770
do	George C. Buck.....	April 23, 1893	780
do	Marcus L. Heading.....	Sept. 1, 1893	780
do	Frank W. Judge.....	May 1, 1896	780
do	Stephen H. Allen.....	May 1, 1896	780
do	Myron W. Kenyon.....	June 30, 1896	780
do	Matthew L. Ryan.....	July 1, 1896	780
do	E. D. Burbey.....	June 1, 1895	780
do	Edward F. Barrett.....	May 8, 1897	780
do	E. A. Baaten.....	April 1, 1897	780
do	George H. Brown.....	May 1, 1897	780
do	John H. Healey.....	May 1, 1897	780

Clinton Prison—(Continued).

Class III.

Position.	NAME.	Date of entrance into position.	Compensation.
Foreman Manufacturing Department.....	Edmund Norris.....	Dec. 4, 1888	\$900
Machinist.....	Peter Brown.....	Dec. 1, 1884	900
Foreman of Construction.....	S. P. Bowen.....	June 29, 1886	\$4 00 per day
do do.....	Scott Barton.....	Aug. 19, 1886	4 00 per day
Examiner Manufacturing Department.....	Albert T. Hitchcock.....	Nov. 26, 1897	\$900

Sing Sing Prison.

Class I.

Agent and Warden.....	Omar V Sage.....	Oct. 12, 1894	\$,500
Chaplain.....	J. C. S. Wells.....	Dec. 26, 1892	2,000

Class II.

Clerk.....	Edgar W. Cook.....	May 17, 1897	2,000
Assistant Clerk.....	Levi N. Beebe.....	Dec. 18, 1897	1,500
Physician.....	R. T. Irvine.....	Jan. 1, 1892	2,000
State Detective.....	James Jackson.....	Jan. 1, 1873	1,800
Stenographer.....	Daniel Hickey.....	June 13, 1898	1,500
Receiving Officer.....	H. C. Westlake.....	Sept. 15, 1878	1,300
Supt. of Construction.....	Emil A. Kriger.....	Dec. 12, 1894	2,400
Architect.....	H. H. Tyrell.....	Dec. 17, 1894	1,800
Superintendent of Manfg Dept.....	W. H. Austin.....	Oct. 1, 1892	1,300
Shipping Clerk.....	P. Connoughton.....	Aug. 19, 1885	\$3 00 per day
Stock Clerk.....	C. D. Maleady.....	June 16, 1893	2 75 per day
Instructor.....	John V. Hayes.....	Mar. 18, 1896	3 00 per day
Watchman.....	Charles S. Many.....	Jan. 5, 1885	\$780
do.....	W. L. Mead.....	Mar. 10, 1896	\$3 00 per day
do.....	James McGraw.....	June 5, 1896	\$780
Superintendent Printing Industry.....	Warren J. Chambers.....	Mar. 12, 1897	1,300
Superintendent Shoe Industry.....	Harry Watson.....	Sept. 27, 1897	1,300
do do.....	Bennington Watson.....	April 29, 1897	1,300
Instructor Clothing Industry.....	Lawrence Coogan.....	July 1, 1891	\$3 00 per day
do do.....	E. B. Crane.....	Jan. 23, 1895	3 00 per day
do do.....	Henry Murphy.....	Nov. 4, 1895	3 00 per day
Principal Keeper.....	James Connoughton.....	Jan. 10, 1876	\$3,000
Store House Keeper.....	G. R. Orlessey.....	Aug. 11, 1891	1,200
Mess Keeper.....	L. M. Rodgers.....	Mar. 1, 1883	1,200
Hall Keeper.....	John J. Lynch.....	Aug. 1, 1891	1,200
Yard Keeper.....	Charles Hilbert.....	Jan. 1, 1869	1,200
Keeper.....	Joseph Bell.....	Jan. 7, 1894	900
do.....	A. J. Biglin.....	April 8, 1876	900
do.....	G. N. Bronson.....	Jan. 15, 1883	900
do.....	W. J. Burton.....	Jan. 6, 1892	900
do.....	Charles W. Carey.....	Aug. 21, 1894	900
do.....	J. S. Cochran.....	Nov. 15, 1894	900
do.....	Alfred Conyes.....	April 30, 1883	900
do.....	Thos. F. Coultry.....	Dec. 20, 1889	900
do.....	P. M. Cronin.....	June 19, 1891	900
do.....	M. J. Derby.....	Nov. 4, 1891	900
do.....	Martin Deely.....	Dec. 3, 1891	900
do.....	J. N. DeGroff.....	Mar. 6, 1878	900
do.....	J. D. Derrenbacher.....	June 3, 1889	900
do.....	Fred Donner.....	Oct. 19, 1893	900
do.....	James Duffey.....	Dec. 29, 1894	900
do.....	Thomas Dugan.....	Sept. 25, 1894	\$30
do.....	John Durkin.....	Nov. 8, 1889	900
do.....	Michael Gorman.....	Jan. 12, 1892	900
do.....	C. P. Guernsey.....	Mar. 14, 1879	900
do.....	L. W. Hammond.....	Aug. 1, 1893	900
do.....	O. E. Helmes.....	June 7, 1893	900
do.....	G. P. Holdridge.....	Jan. 14, 1892	900
do.....	Jos. A. Hubbard.....	April 15, 1887	900
do.....	Irving J. well.....	Dec. 4, 1883	900
do.....	E. J. Kinnane.....	Nov. 5, 1891	900

Sing Sing Prison—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Keeper.	George J. Kirsch.....	Aug. 24, 1891	\$900
do	D. M. Lynch.....	Feb. 2, 1894	900
do	A. W. McClelland.....	Dec. 7, 1891	900
do	James McCormack.....	Sept. 28, 1875	900
do	Edward McEneny.....	July 1, 1894	900
do	Peter MacMahon.....	Aug. 19, 1888	900
do	S. E. McNeil.....	April 9, 1897	900
do	Michael Mack.....	July 6, 1889	900
do	George B. Meeserole.....	Sept. 2, 1891	900
do	Thomas Mulcahey.....	Nov. 10, 1888	900
do	Thomas Mulligan.....	Jan. 6, 1876	900
do	M. T. Mullins.....	Jan. 6, 1883	900
do	John O'Hara.....	July 27, 1891	900
do	John O'Keefe.....	Oct. 23, 1893	900
do	Wm. Purcell.....	Mar. 5, 1873	900
do	Edward Reilly.....	Aug. 13, 1894	900
do	G. J. Russell.....	Aug. 2, 1888	900
do	Garwood T. Smith.....	July 8, 1891	900
do	J. W. Travis.....	July 19, 1880	900
do	C. H. Vaughn.....	Jan. 23, 1891	900
do	J. F. Wells.....	Dec. 27, 1894	900
do	Thomas S. Wheeler.....	Sept. 7, 1891	900
do	James Bulger.....	May 1, 1897	900
do	J. J. Griffin.....	May 1, 1897	900
Guard	Alonzo G. Davis.....	Dec. 1, 1897	780
do	Michael Eustace.....	Dec. 1, 1897	780
do	C. L. Fitch.....	Dec. 1, 1897	780
do	Hugh Lavery.....	Dec. 1, 1897	780
do	John S. Birdsall.....	Oct. 24, 1892	780
do	G. W. Bradshaw.....	Mar. 18, 1892	780
do	Martin A. Croak.....	June 12, 1894	780
do	Herman B. Crosby.....	Aug. 13, 1894	780
do	Morris W. Eckler.....	June 11, 1896	780
do	George W. Fox.....	Dec. 29, 1894	780
do	W. G. Gale.....	Nov. 27, 1893	780
do	William J. Gormley.....	Mar. 19, 1894	780
do	J. E. Holla.....	Aug. 23, 1886	780
do	J. T. Heaney.....	Dec. 29, 1894	780
do	W. E. Hopper.....	Dec. 31, 1894	780
do	J. T. Hyland.....	Aug. 1, 1888	780
do	A. N. Ingersoll.....	July 19, 1888	780
do	John Kelly.....	June 9, 1876	780
do	Dennis Kerr.....	June 23, 1888	780
do	Robt. J. Martin.....	July 5, 1895	780
do	Alex. Meglin.....	May 25, 1896	780
do	Phillip Morris.....	June 15, 1896	780
do	Michael Mullins.....	June 5, 1898	780
do	Abner A. New.....	July 25, 1894	780
do	C. E. Orne.....	Dec. 18, 1894	780
do	Edward O'Toole.....	Sept. 1, 1899	780
do	J. T. Beardon.....	July 25, 1895	780
do	Alex. Robertson.....	April 10, 1896	780
do	J. J. Rowe.....	Oct. 29, 1894	780
do	W. W. Scoville.....	Aug. 8, 1895	780
do	Phillip Shoemaker.....	Sept. 19, 1891	780
do	B. Tompkins.....	June 21, 1887	780
do	Howard A. Safford.....	Aug. 24, 1897	780
do	John McGough.....	Jan. 1, 1896	780
do	Lawrence Murphy.....	Jan. 5, 1898	780
do	A. J. Nearn.....	Dec. 1, 1897	780

Class III.

General Foreman.....	P. McNamara.....	April 1, 1894	\$4 00 per day
do do.....	Isaac A. Perry.....	April 26, 1895	\$1,800
do do.....	John Hayden.....	June 18, 1891	1,800
do do.....	Frank H. Burroughs.....	Dec. 26, 1894	1,800
do do.....	Walter B. Lathrop.....	Nov. 1, 1897	1,800
Examiner (Clothing Dept.).....	James J. Stewart.....	Oct. 12, 1897	\$3 00 per day

Commission of Fisheries, Game and Forests.

Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Commissioner.....	Barnet H. Davis.....	April 25, 1895	\$3,000
do.....	William R. Weed.....	April 25, 1895	2,500
do.....	Charles A. Babcock.....	April 25, 1895	2,500
do.....	Edward Thompson.....	April 25, 1895	2,500
do.....	Hendrick S. Holden.....	April 8, 1896	2,500

Class I.

Assistant Secretary.....	Charles A. Taylor.....	May 7, 1896	2,000
Confidential Clerk to Shell Fish Commissioner.....	Franklin B. Mitchell.....	Feb. 4, 1897	1,800

Class II.

Fish Culturist.....	A. N. Cheney.....	May 7, 1895	2,000
Superintendent and Engineer.....	William F. Fox.....	May 7, 1895	2,500
Superintendent of Hatcheries.....	James Annin, Jr.....	May 7, 1895	2,500
Chief Fish and Game Protector.....	J. Warren Pond.....	April 25, 1895	2,000
Auditor and Pay Clerk.....	A. J. Mulligan.....	June 7, 1895	1,500
Special Agent.....	A. B. Strough.....	May 29, 1895	1,400
do.....	Mark C. Finley.....	April 8, 1896	1,000
Clerk to Chief Protector.....	William Wolf.....	Dec. 31, 1895	1,300
Assistant Chief Protector.....	M. C. Worts.....	May 20, 1895	1,200
do do do.....	John E. Leavitt.....	May 7, 1895	1,300
Stenographer.....	J. J. Fourqurean.....	April 25, 1895	1,200
Oyster Protector.....	Seah T. Clock.....	Dec. 9, 1896	1,200
do do.....	Edgar Hicks.....	June 13, 1895	1,000

Class III.

Assistant Oyster Protector.....	John Ferguson.....	April 4, 1895	\$2 50 per day
Fish & Game Protector & Forester	John L. Ackley.....	June 13, 1895	\$500
do do do	F. S. Beede.....	Oct. 8, 1895	500
do do do	George Carver.....	May 29, 1895	500
do do do	T. H. Donnelly.....	Sept. 4, 1895	500
do do do	L. S. Emmons.....	May 29, 1895	500
do do do	Edwin A. Hazen.....	June 5, 1896	500
do do do	James Holmes.....	May 7, 1896	500
do do do	Carls Hutchins.....	April 15, 1896	500
do do do	Willet Kidd.....	April 25, 1895	500
do do do	Hiram L. Walt.....	Dec. 9, 1896	500
do do do	J. H. Lamphere.....	June 13, 1896	500
do do do	E. J. Lobell.....	May 7, 1895	500
do do do	B. H. McCullom.....	Oct. 8, 1895	500
do do do	Joseph Northrup.....	April 25, 1895	500
do do do	F. M. Potter.....	April 8, 1896	500
do do do	D. N. Pomerny.....	May 8, 1895	500
do do do	Wallace L. Reed.....	May 20, 1895	500
do do do	Bernard Salisbury.....	Aug. 8, 1895	500
do do do	George B. Smith.....	May 29, 1895	500
do do do	Albert Warren.....	Oct. 6, 1896	500
do do do	Alvin Winslow.....	May 7, 1895	500
do do do	Spencer Hawn.....	May 8, 1895	500
do do do	Abram A. Wyckoff.....	Dec. 9, 1896	500
do do do	James F. Shedden.....	Nov. 9, 1896	500
do do do	Robert S. Jones.....	April 7, 1897	500
do do do	Stanton J. Tefft.....	May 17, 1897	500
do do do	E. J. Brooks.....	May 7, 1895	500

Forest Preserve Board.

Unclassified Service.

Member of Board.....	Timothy L. Woodruff.....	April 22, 1897	None
do.....	Charles H. Babcock.....	April 23, 1897	None
do.....	Campbell W. Adams.....	April 23, 1897	None

Forest Preserve Board—(Continued).

Class I.

Position.	NAME.	Date of entrance into position.	Compensation.
Secretary			\$2,400
Inspector	J. Y. McClintock	June 1, 1897	\$100 00 mo.
do	F. X. Salzman	June 1, 1897	100 00 mo.
do	Cyrus Durey	June 1, 1897	100 00 mo.
Stenographer	John S. Casey	June 1, 1897	100 00 mo.

Class II.

Attorney	Jotham P. Allds	June 1, 1897	357 15 mo.
do	Thomas H. Wagstaff	June 1, 1897	357 15 mo.

Capitol Commission.

Unclassified Service.

Capitol Commissioner.....	I. G. Perry	April 10, 1888	\$7,500
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Class I.

Private Secretary.....	William W. Dennin	Feb. 19, 1897	\$6 per day
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Class II.

Chief Draughtsman.....	Clark L. Daggett.....	Nov. 8, 1888	8 00 per day
Draughtsman	John F. Gunson.....	April 12, 1893	5 00 per day
do	Edward Ahrens.....	Aug. 7, 1895	5 00 per day
do	Charles A. Suedorff.....	Aug. 9, 1895	4 50 per day
do	George D. Coons.....	Mar. 18, 1896	4 50 per day
do	John J. Cosgrove.....	Oct. 25, 1896	4 00 per day
do	Frederick E. Corwith.....	Nov. 11, 1895	4 50 per day
do	Oliver V. Clark.....	June 24, 1895	4 00 per day
do	Dennis F. Dunn.....	Oct. 7, 1899	4 00 per day
do	Gilbert H. Anderson.....	Aug. 20, 1895	5 00 per day
do	Louis D. Hart.....	April 30, 1892	3 00 per day
do	George C. Van Buren.....	July 19, 1895	2 50 per day
do	Walter Van Guyaling.....	Jan. 30, 1894	2 50 per day
Tracer.....	Harold Shreve.....	Sept. 11, 1895	1 75 per day
do	John H. Mee.....	Aug. 31, 1896	1 75 per day
do	Harold B. Skinner.....	Nov. 11, 1896	1 50 per day
do	George D. Hawley.....	Oct. 30, 1895	2 50 per day
do	Irvin J. Bush.....	Sept. 2, 1896	3 50 per day
do	William A. Keller.....	Aug. 31, 1895	1 50 per day
Clerk	John S. Hutman.....	April 17, 1890	3 00 per day
do	Grace P. Baker.....	Dec. 6, 1897	.....
Stenographer.....	Robert T. Fleming.....	May 24, 1890	4 50 per day
Office Boy.....	William A. Bennett.....	July 18, 1891	1 25 per day
do	Walter C. Longleway.....	July 11, 1896	4 00 per w k
do	Charles H. Millward.....	Nov. 19, 1896	4 00 per w k

State Land Survey.

Unclassified Service.

Superintendent	Verplanck Colvin	May 5, 1895	\$5,000
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Class II.

Consulting Engineer.....	T. W. Wright	June 11, 1895	\$10 per day and expenses
do do	E. A. Fuertes	Dec. 31, 1896	\$10 per day and expenses
do do	J. K. Reese.....	Dec. 31, 1896	\$10 per day and expenses
do do	C. W. Crockett.....	Dec. 31, 1896	\$10 per day and expenses

FIFTEENTH REPORT OF THE

State Land Survey—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Assistant engineer.....	Edwin Smith.....	Aug. 3, 1896	\$1,300
do do.....	J. E. McGrath.....	Aug. 3, 1896	1,300
do do.....	S. La Fèvre.....	June 11, 1896	1,500
do do.....	G. W. F. Smith.....	Oct. 12, 1896	1,500
do do.....	W. H. Luster.....	June 15, 1896	1,200
do do.....	W. C. Ogden.....	July 18, 1896	1,200
do do.....	C. G. Locke.....	Aug. 5, 1896	1,200
do do.....	C. W. Comstock.....	June 11, 1896	1,300
Chief Clerk.....	Millie Blake.....	June 5, 1896	1,300
Local Expert Surveyor.....	Lorin Kelly.....	June 11, 1896	1,240
do do do.....	O. S. Morse.....	June 11, 1896	1,240
do do do.....	Daniel Lynch.....	June 11, 1896	1,240
do do do.....	S. J. Palmer.....	June 11, 1896	1,240
do do do.....	H. Richards.....	June 11, 1896	1,240
do do do.....	G. T. Chellis.....	Aug. 6, 1896	1,240
do do do.....	H. S. Meekham.....	Aug. 6, 1896	1,240
do do do.....	W. H. Corey.....	Sept. 15, 1896	1,240
do do do.....	G. E. Thew.....	Jan. 19, 1896	1,240
do do do.....	H. D. Kellogg.....	Dec. 29, 1896	1,240
do do do.....	Wesley Barnes.....	June 10, 1897	\$100 per mo., actual time
Inspector, Expert Surveyor.....	W. H. Meserve.....	July 2, 1896	\$1,200
do.....	A. W. Street.....	Jan. 3, 1896	1,200
Junior Clerk.....	William R. McGreevy.....	May 11, 1897	300
do.....	Harry R. Wilson.....	Oct. 15, 1897	240

State Board of Health.

Unclassified Service.

Commissioner.....	Frederick W. Smith.....	July 16, 1895	Expenses
do.....	George B. Fowler.....	July 30, 1895	Expenses
do.....	S. Case Jones.....	Jan. 14, 1896	Expenses
do.....	Daniel Lewis.....	Jan. 14, 1896	Expenses
do.....	Owen Cassidy.....	Jan. 14, 1896	Expenses
do.....	Frank E. Shaw.....	April 14, 1896	Expenses
do.....	A. H. Doty.....	Jan. 2, 1896	Expenses
do.....	T. E. Hancock.....	Jan. 1, 1894	Expenses
do.....	C. W. Adams.....	Jan. 1, 1894	Expenses
Tuberculosis Commissioner.....	F. W. Smith.....	July 23, 1896	\$3,000
do.....	S. Case Jones.....	July 23, 1897	3,000

Class I.

Secretary.....	Baxter T. Smelzer.....	June 1, 1896	4,500
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Class II.

Assistant Secretary.....	Thomas A. Stewart.....	July 21, 1893	2,500
Medical Expert.....	F. C. Curtis.....	July 11, 1893	1,800
Clerk.....	Lucius F. Rolfe.....	Jan. 16, 1894	1,500
do.....	Charles E. Thompson.....	Mar. 29, 1894	1,200
do.....	Bowen Staley.....	Sept. 1, 1897	1,500
Indexer.....	I. H. Lindsay.....	Dec. 29, 1894	900
do.....	George G. Champlin.....	April 22, 1896	1,200
Stenographer.....	Anna L. Mattimore.....	Dec. 1, 1896	1,000
Chief Clerk.....	Philip Hurd.....	July, 1896	1,500
Chemist.....	Willis G. Tucker.....	.....	1,500

Court of Claims.

Unclassified Service.

Judge.....	Charles T. Saxton.....	Jan. 1, 1896	5,000
do.....	George M. Beebe.....	June 30, 1893	5,000
do.....	John F. Parkhurst.....	Jan. 1, 1896	5,000

Court of Claims—(Continued).

Class I.

Position.	NAME.	Date of entrance into position.	Compensation.
Clerk	Andrew Hamilton	April 1, 1893	\$4,000

Class II.

Deputy Clerk	James E. Kirk	Mar. 20, 1888	2,500
Stenographer	Thomas Watts	May 15, 1888	2,500
Marshall and Messenger	John J. Branagan	June 1, 1889	1,200

Bureau of Statistics of Labor.

Unclassified Service.

Commissioner	John T. McDonough	April 9, 1896	3,000
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Class I.

Deputy	John McMackin	June 1, 1897	2,500
Chief Clerk	Henry C. Southwick	June 4, 1897	2,000

Class II.

Clerk	William J. Stoops	Dec. 15, 1888	1,500
do	Kate Shaffer	Sept. 14, 1888	1,300
Statistician	William Deterling	Oct. 1, 1896	1,500
do	Leonard W. Hatch	Sept. 23, 1887	\$4 00 per day
do	David J. Naughtin	Sept. 23, 1897	4 00 per day
Expert	Edmund Savage *	Oct. 1, 1897	4 00 per day
Special Agent	George A. Stevens	June 4, 1888	\$1,500
do	Michael J. Reagan	April 1, 1889	1,500
do	Charles J. Bloete	June 28, 1889	\$4 00 per day
do	William O'Connor	Aug. 28, 1889	4 00 per day
do	Frank Ford	Feb. 1, 1894	4 00 per day

Free Public Employment Bureau.

Class II.

Superintendent	John J. Bealin	June 26, 1896	\$1,500
Clerk and Stenographer	Frederica Knapp	July 15, 1896	900

Board of Charities.

Unclassified Service.

Commissioner	William R. Stewart	May 31, 1892	†\$10 per day
do	Mrs. Annie G. de Peyster	Oct. 4, 1890	†10 per day
do	Edward H. Litchfield	Jan. 16, 1893	†10 per day
do	Tunis G. Bergen	Jan. 30, 1895	†10 per day
do	Selden E. Marvin	Mar. 27, 1895	†10 per day
do	Newton Aldrich	April 3, 1896	†10 per day
do	Robert McCarthy	Mar. 17, 1899	†10 per day
do	Peter Walrath	April 7, 1886	†10 per day
do	Enoch V. Stoddard	Jan. 1, 1886	†10 per day
do	Harvey W. Putnam	—, 1896	†10 per day

Class I.

Secretary	Robert W. Hebbard	Oct. 15, 1896	\$3,500
Private Secretary to Supt. State and Allen Poor	George L. Fanning	July 2, 1897	600

* Rule 8, sec. 7 (c). † For each day's attendance at meeting.

FIFTEENTH REPORT OF THE

Board of Charities—(Continued).

Class 11.

Position.	NAME.	Date of entrance into position.	Compensation.
Supt. State and Allen Poor	Charles S. Hoyt, M. D.	—, 1867	\$2,800
Inspector of Charities	James O. Fanning	—, 1873	3,000
Chief Clerk	Wellington D. Ives	May 1, 1897	1,500
Clerk	Julia S. Hoag	—, 1875	1,200
Junior Clerk	Lillian Schlesinger	Mar. 1, 1897	480
Stenographer	Iona Karker	Dec. 9, 1896	584
Messenger	Charles W. Reynolds	Jan. 13, 1896	600
Inspector	James Bowne	Sept. 1, 1897	1,200
do	Frank Kunzmann	Sept. 1, 1897	1,200
do	Henry M. Lechtrecker	Sept. 1, 1897	1,200
do	Mrs. Susan J. Hannahs	Sept. 1, 1897	900
do	Mrs. Mary S. Oppenheimer	Sept. 1, 1897	900
do	Mrs. Mary W. Whited	Sept. 1, 1897	900

Civil Service Commission.

Unclassified Service.

Commissioner	Willard A. Cobb	Jan. 24, 1895	2,600
do	Silas W. Burt	Mar. 6, 1895	2,600
do	George P. Lord	Jan. 21, 1896	2,600

Class 11.

Secretary	Clarence B. Angle	Mar. 1, 1894	2,000
Chief Examiner	Charles S. Fowler	Jan. 1, 1896	2,400
Clerk	John C. Birdseye	June 1, 1894	1,800
Examiner	Harold N. Saxton	Aug. 10, 1896	1,500
Stenographer	Mary E. Dell	April 23, 1895	900
do	Hattie B. Bennett	Feb. 5, 1896	900

Board of Mediation and Arbitration.

Unclassified Service.

Commissioner	William Purcell	June 3, 1896	3,000
do	Henry C. Johnson	Mar. 4, 1897	3,000
do	W. H. H. Webster	May 20, 1896	3,000

Class 1.

Secretary	Thomas A. Braniff	Dec. 1, 1896	2,000
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Class 11.

Clerk	Frederick N. Lewis	Mar. 24, 1894	1,500
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Statutory Revision Commission.

Unclassified Service.

Commissioner	Charles Z. Lincoln	Jan. 2, 1895	3,000
do	William H. Johnson	Jan. 24, 1895	3,000
do	A. Judd Northrup	Feb. 18, 1895	3,000

Class 11.

Law Clerk	Robert C. Cumming	April 1, 1890	2,100
do	Owen L. Potter	May 28, 1895	2,100
do	Frank B. Gilbert	Mar. 28, 1895	2,100
Stenographer	Carrie M. Clancey	Dec. 16, 1894	780
do	Elizabeth A. Carroll	Aug. 1, 1896	780

Board of Tax Commissioners.

Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Tax Commissioner.....	Martin Heermance.....	Jan. 30, 1896	\$2,500
do	Edward L. Adams.....	Jan. 30, 1896	2,500
do	Rollin L. Jenkins.....	Jan. 30, 1896	2,500

Class I.

Secretary.....	Peter Deyo.....	July 1, 1896	2,000
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Class II.

Stenographer.....	Lulu Dillenbeck... ..	Jan. 1, 1897	720
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State Historian.

Unclassified Service.

Historian	Hugh Hastings.....	April 30, 1895	4,500
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Class II.

Stenographer	Henry H. Noble.....	Sept. 4, 1895	1,000
Typewriter.....	Caroline L. Herzog.....	Feb. 1, 1897	720

Inspector of Gas Meters.

Unclassified Service.

Inspector.....	James L. Stewart.....	Jan. 8, 1896	5,000
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Class I.

Deputy Inspector.....	George H. Owens	Feb. 6, 1896	1,500
do	John Pauley	Feb. 6, 1896	1,500
do	Joseph Stockmar.....	Feb. 6, 1896	1,500

Superintendent of Weights and Measures.

Unclassified Service.

Superintendent	Lewis Boss	Feb. 29, 1896	300
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Onondaga Salt Works.

Unclassified Service.

Superintendent.. ..	Charles Hiscock	Feb., 1896	1,500
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Class I.

Deputy Superintendent.....	Henry L. Bassett	July, 1896	1,200
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Onondaga Salt Works—(Continued).

Class III.

FIRST DISTRICT.

Position.	NAME.	Date of entrance into position.	Compensation.
Chief Engineer.....	Robert Drumma.....	July, 1896	\$1,200
Chief Salt Inspector.....	John F. Hunter.....	July, 1896	1,200
Chief Barrel Inspector.....	John Gebhardt.....	July, 1896	1,200
Supervisor of Aqueducts.....	James H. Barry.....	July, 1896	1,200
Overseer of Pumps.....	Samuel Hurst.....	Nov., 1884	600
Pumper.....	Michael Hayden.....	July, 1896	600
Salt Inspector.....	Arthur V. Meeker.....	July, 1896	600
do.....	Julius Van Velde.....	July, 1896	400
do.....	William Schug.....	July, 1896	400
do.....	Robert Hewitt.....	July, 1896	400
Engineer.....	Edward Shaw.....	July, 1896	15c. per hour
do.....	Abraham Passett.....	July, 1896	15c. per hour
do.....	Karl Zinmeister.....	July, 1896	15c. per hour
do.....	William Martin.....	July, 1896	15c. per hour
do.....	James Cherry.....	July, 1896	15c. per hour
do.....	James Rachford.....	July, 1896	15c. per hour
do.....	Philip Callahan.....	July, 1896	15c. per hour
do.....	Charles Klock.....	July, 1896	15c. per hour
do.....	James Parkinson.....	July, 1896	15c. per hour
do.....	John Butler.....	June 8, 1897	15c. per hour
do.....	Charles F. Wheeler.....	June 8, 1897	15c. per hour

SECOND DISTRICT.

Receiver.....	Wilber F. Hall.....	July, 1896	\$340
Supervisor of Aqueducts.....	John Carrey.....	July, 1896	840
Salt Inspector.....	James M. Van Epps.....	July, 1896	400
Pumper.....	Martin Kerwin.....	July, 1896	600

THIRD DISTRICT.

Receiver.....	George Baxter.....	July, 1896	540
Salt Inspector.....	Jacob Vroman.....	July, 1896	600
do.....	Dan Matthews.....	July, 1896	400
do.....	Fred Wyker.....	July, 1896	400
do.....	John Meyer.....	July, 1896	400

FOURTH DISTRICT.

Receiver.....	Thomas F. O'Neill.....	July, 1896	840
Salt Inspector.....	Thomas Stack.....	July, 1896	600
do.....	Alfred B. Tuttle.....	July, 1896	400
do.....	William H. Rosenthal.....	July, 1896	400
do.....	P. H. Louton.....	July, 1896	400
do.....	Mathew Maloney.....	July, 1896	600
do.....	Thomas Carrol.....	July, 1896	600
do.....	Leonard Clift.....	June 8, 1897	400

Agricultural Experiment Station, Geneva.

Class I.

Director.....	William H. Jordan.....	July 1, 1896	4,000
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Class II.

Chemist.....	L. L. Van Slyke.....	June 12, 1890	2,500
Horticulturist.....	S. A. Beach.....	Nov. —, 1891	1,875
Agriculturist and Superintendent of Labor.....	George W. Churchill.....	April 1, 1894	720
Entomologist.....	Victor H. Lowe.....	July 23, 1894	1,200
do.....	F. A. Birrine.....	July 23, 1894	1,200
Mycologist.....	F. C. Stewart.....	July 23, 1894	1,200
First Assistant.....	William P. Wheeler.....	Jan. 1, 1898	1,500

Agricultural Experiment Station, Geneva—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Assistant Chemist.....	C. G. Jenter.....	Sept. 8, 1891	\$360
do do	J. A. LeClare.....	Nov. 12, 1895	840
do do	A. D. Cook	Oct. 1, 1892	840
do do	W. H. Andrews	Sept. 20, 1891	960
do do	F. D. Fuller	Oct. 1, 1896	840
do do	Firman Thompson.....	Sept. 16, 1897	600
do do	Edwin B. Hart.....	July 30, 1897	600
General Assistant.....	C. V. Hallock	April 16, 1897	600
Assistant Horticulturist.....	Wendell Paddock.....	Nov. —, 1893	960
do do	C. P. Close	Aug. 31, 1896	840
Stenographer and Clerk.....	F. E. Newton	Jan. 1, 1884	1,000
Stenographer.....	Jennie Terwilliger.....	Sept. 7, 1897	480
Editor and Librarian.....	Frank H. Hall.....	April 1, 1897	1,800
Computer	A. H. Horton.....	May 28, 1890	720
Travelling Agent.....	J. L. Colvin.....	—, 1891	\$100 per mo. actual time.
Gardener.....	P. F. Barnes.....	Oct. —, 1895	\$600

Class III.

Mechanic	E. L. Albro.....	April 11, 1887	540
Foreman in Orchards.....	J. Lydon.....	Nov. 27, 1893	580
Assistant Gardener.....	O. M. Taylor	April 1, 1896	480
Poultryman	P. F. O'Neill	April 10, 1887	480
Laboratory Assistant.....	M. Murray	Aug. 1, 1894	432
Dairyman	F. W. Phillips.....	Mar. 5, 1889	432
Watchman.....	C. A. Hoffman.....	April —, 1895	480

Weather Bureau, Cornell University.

Unclassified Service.

Director	E. A. Fuertes	June 1, 1889	None
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Class I.

Meteorologist	Ebenezer T. Turner.....	June 1, 1889	\$1,200
Secretary and Expert	William O. Kerr	June 1, 1889	1,200

Class II.

Computer	W. E. Mott*.....	Jan. 1, 1897	\$100 per mo. actual time.
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Commissioners Niagara Reservation.

Unclassified Service.

Commissioner.....	Andrew H. Green.....	Mar. 2, 1893	None
do	John M. Bowers.....	Mar. 2, 1893	None
do	Robert L. Fryer	Mar. 2, 1893	None
do	William Hamilton	Mar. 2, 1893	None
do	George Ralnes	Mar. 2, 1893	None

Class I.

Treasurer and Secretary.....	Henry E. Gregory	Jan. 30, 1888	\$1,100
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FIFTEENTH REPORT OF THE

Commissioners Niagara Reservation—(Continued).

Class II.

Position.	NAME.	Date of entrance into position.	Compensation.
Superintendent	Thomas W. Welch	July 16, 1895	\$2,800
Clerk	Harry ap'Rees	Jan. 1, 1896	900
Police Constable	Henry Highland	July 16, 1895	900
do	Hugh T. Birch	July 26, 1892	900
do	Rankin McMullin	July 16, 1895	900
do	George W. Sinis	July 16, 1895	900
do	Jacob J. Anthony	July 16, 1895	900
do	Edward Welch	July 20, 1895	900
Inclined Railway Wheelman	John McCloy	July 16, 1895	900
Inclined Railway Guard	Otto Murphy	July 1, 1895	600

Health Officer, Port of New York.

Unclassified Service.

Health Officer	Alvah H. Doty, M. D.	Jan. 2, 1895	12,500
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Class I.

Deputy Health Officer	E. B. Sanborn, M. D.	April 1, 1879	2,700
do do	J. B. L'Hommiedieu, M. D. .	Jan. 20, 1895	2,700

Class II.

Secretary	A. G. Hall	Feb. 1, 1895	1,800
Clerk	Maurice J. Doyle	Mar. 1, 1892	840
Messenger	Edwin Rabey	Feb. —, 1895	144
Department Engineer	E. M. Skinner	Sept. 8, 1892	1,500
Captain	Edward Keegan	Feb. —, 1895	1,800
do	Thomas Taylor	Sept. 15, 1892	1,080
Engineer	Henry Johnson	Mar. —, 1895	1,080
do	David Hayes	Sept. —, 1895	1,080
Chief Disinfecter and Pilot	Edward Crawford	May 1, 1890	1,080
Superintendent of Grounds	Daniel C. Dean	Sept. —, 1892	900

Class III.

Fireman	William Sullivan	Aug. 12, 1896	720
do	Mathias Brady	May —, 1892	720
do	Aymar Romer	July —, 1895	600
Night Watchman	William Lockman	July —, 1895	720
Day Watchman	Charles G. Ludars	Mar. —, 1892	620
Janitor	Joseph Paret	July —, 1895	636
Carpenter	Gustave Paulson	Mar. —, 1895	840

Quarantine Commission.

Unclassified Service.

Commissioner	Jacob M. Patterson	April 22, 1895	2,500
do	Edmund J. Palmer	May 25, 1895	2,500
do	Fred'k H. Schroder	May 25, 1895	2,500

Class I.

Secretary	Charles F. Bruder	Aug. 15, 1895	*Fees
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* Paid by Health Officer.

NEW YORK CIVIL SERVICE COMMISSION.

1057

Quarantine Commission—(Continued).

Class II.

Position.	NAME.	Date of entrance into position.	Compensation.
Superintendent, Swinburne Island	Henry G. Arnold	July 1, 1895	*Fees
Superintendent, Hoffman Island..	Fred'k G. Milligan	July 1, 1895	*Fees
do	David H. Sturm	July 10, 1895	\$1,200
Captain, tug "State of New York"	Daniel Moriarty	Aug. 10, 1895	1,200
Engineer, tug "State of New York"	Thomas Law	Aug. 10, 1895	960
Engineer, Swinburne Island	Thomas Barnes	May 24, 1897	*Fees
Engineer, Hoffman Island	Gilbert M. Soffield	Aug. 10, 1895	*Fees
Steward, tug "State of New York"	Charles J. Martin	May 4, 1897	\$600

Class III.

Fireman, tug "State of New York"	Philip G. Holtizer	Dec. 1, 1895	480
Carpenter, Swinburne Island	Henry Vought	July 8, 1895	*Fees

Board of Port Wardens.

Unclassified Service.

Port Warden	Hiram Calkins	May 18, 1897	Fees
do	John H. Gunner	Mar. 16, 1895	Fees
do	Wilbur W. Capron	Mar. 16, 1895	Fees
do	Robert M. Johnston	Mar. 30, 1895	Fees
do	William O'Connor	July 15, 1895	Fees
do	John H. Boland	Dec. 5, 1895	Fees
do	John S. Kidder	April 15, 1895	Fees
do	Isaac W. Edsall	April 28, 1895	Fees
do	Robert B. Miller	Aug. 14, 1895	Fees

Class I.

Secretary	Albert W. Dodge	Jan. 4, 1894	\$1,600
Collector	John Regan	April 2, 1894	1,400

State Commission in Lunacy.

Unclassified Service.

President	Peter M. Wise	Oct. 1, 1895	7,500
Legal Commissioner	Goodwin Brown	May 14, 1893	5,000
Lay do	Wm. L. Parkhurst	May 14, 1897	3,500

Class I.

Secretary	T. E. McGarr	June 5, 1889	4,000
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Class II.

Auditor	George D. Sanford	April 1, 1893	4,000
Confidential Clerk and Stenog-	Carroll F. Smith	July 18, 1889	2,200
rapher	Lillian A. Walker	Oct. 1, 1897	1,200
Voucher Clerk	Lucy A. O'Brien	Feb. 28, 1894	900
Clerk	Mary F. Passenger	Dec. 1, 1893	1,200
Indexer	Hannah C. Hamlin	Feb. 1, 1895	900
Clerk	Mary E. Keyes	Jan. 24, 1895	900
Clerk	John J. Galvin	Oct. 1, 1895	1,100
Stenographer	Heien H. Betzinger	Dec. 8, 1895	1,000
Assistant to Auditor	John H. Flinn	May 5, 1895	420
Page	Fred J. Coons	Nov. 1, 1897	192
do			

* Paid by Health Officer.

State Commission in Lunacy—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Special Agent.....	Patrick Ford, Jr.....	May 1, 1893	\$5 00 per diem
do do	Lyman Robinson.....	June 1, 1893	5 00 per diem
do do	Charles P. Bible.....	Nov. 1, 1895	5 00 per diem
do do	Egbert F. Kroyer.....	Nov. 1, 1895	5 00 per diem
do do	W. J. Bedenkapp.....	May 1, 1895	5 00 per diem
do do	W. S. Augsburgury.....	June 29, 1895	5 00 per diem

Pathological Institute.

Class II.

Director.....	Ira Van Gieson.....	Feb. 1, 1896	\$5,000
Chief Associate in Pathology.....	Henderson B. Deady.....	June 11, 1896	1,200
Associate in Anthropology.....	A. Hrdlicka.....	Nov. 10, 1896	900
Associate in Psychology.....	Boris Sidla.....	Nov. 7, 1896	1,200
Associate in Pathology.....	B. Onuf.....	Dec. 1, 1896	500
Associate in Bacteriology.....	Henry H. Brook.....	Jan. 1, 1897	900
Associate in Biology.....	Arnold Graf.....	Jan. 1, 1897	1,200
Associate in Physiological Chemistry.....	Samuel Bookman *.....	Mar. 9, 1897	900
Associate in Comparative Neurology.....	C. Judson Herrick.....	Sept. 8, 1897	750
Medical Stenographer.....	Cora C. Holcomb.....	May 1, 1897	900
Clerk.....	William R. Van Koughnet.....	May 1, 1897	900
Librarian.....	Amalie Busck.....	Sept. 18, 1896	900
Archivist.....	Marie Onuf.....	Sept. 18, 1896	900
Janitor.....	Thomas J. Deaken.....	Aug. 1, 1896	600

State Hospital, Binghamton.

Unclassified Service.

Trustee.....	J. Stanborough.....	Mar. 22, 1893	None
do	George H. Barlow.....	April 30, 1895	None
do	Henry L. Armstrong.....	April 30, 1895	None
do	Andrew J. French.....	April —, 1896	None
do	Miss Anna L. Platt.....	April —, 1896	None
do	Mrs. Kate Ely.....	April —, 1896	None

Class I.

Treasurer.....	John Rankin.....	May 1, 1894	\$1,500
Steward.....	Edwin Evans.....	July 1, 1890	2,000
Attorney.....	Edmund O'Connor.....	Sept. 27, 1897	1,200

Class II.

Superintendent.....	Charles G. Wagner.....	Feb. 8, 1892	3,300
First Assistant Physician.....	Charles C. Eastman.....	Nov. 1, 1881	2,500
Second do do	William A. White.....	May 1, 1892	1,300
Assistant do do	Arthur Summers.....	Nov. 1, 1893	1,400
do do	Robert G. Wallace.....	July 1, 1894	1,200
Woman do do	E. Gertrude Crum.....	Oct. 1, 1894	1,500
Junior do do	H. Wardner Eggleston.....	July 17, 1897	900
do do	Cecil L. MacCoy.....	Nov. 16, 1897	900
Medical Interne.....	Edward Gillespie.....	Oct. 1, 1896	600
Matron.....	Lura Sinclair.....	Sept. 6, 1897	600
Apothecary.....	Burt Nelson.....	April 1, 1892	575
Stenographer.....	Margaret M. Bloxham.....	May 1, 1896	650
Accountant.....	Robert J. Powers.....	Oct. 1, 1894	350
Bookkeeper.....	Charles B. Markham.....	Dec. 1, 1899	350
Storekeeper.....	J. J. Malarkey.....	Aug. 1, 1894	325
Voucher Clerk.....	Edward S. Graney.....	Dec. 1, 1893	375

* Provisional.

State Hospital, Binghamton—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Chief Engineer.....	Samuel F. Collins.....	July 1, 1880	\$1,320
Assistant do	John J. Eastman	June 1, 1889	840
do do	Martin Whittaker.....	Nov. 1, 1880	720
do do	Charles Pake.....	Nov. 1, 1881	600
Electrical Engineer.....	John H. Johnson.....	Aug. 1, 1884	900
do do	Joseph Griffith	Oct. 1, 1894	720
do do	J. Fred Spengler.....	Nov. 18, 1897	480

Class III.

Chief.....	Charles Besant.....	Jan. 1, 1896	900
Plumber.....	A. L. Fitzpatrick.....	Mar. 1, 1887	720
Carpenter.....	Truman Guyon.....	Sept. 1, 1885	810
do	E. H. Ballou	Mar. 1, 1894	690
do	Harry B. Armstrong.....	Feb. 1, 1885	690
do	Emma Crosby	Feb. 1, 1897	625
House-keeper.....	Mary Holmes	Jan. 1, 1889	348
do	Kate Hyatt.....	Dec. 1, 1896	800
Head Cook.....	Floyd E. Rosenkrans.....	Oct. 1, 1885	480
Baker.....	James Carroll.....	Feb. 1, 1885	720
Assistant Baker.....	James Howard	June 1, 1888	420
Meat Cutter.....	Richard Shay	June 1, 1888	480
Laundry Overseer.....	Theodore Downing.....	Feb. 1, 1886	600
Head Laundress.....	Nellie Downing	April 1, 1886	800
Fireman	Eugene Bogart.....	Oct. 1, 1887	450
do	Marvin Noonan	April 1, 1887	450
do	D. D. Brown	May 1, 1889	360
do	John O'Connor	April 1, 1891	360
do	Zina Shoemaker	April 1, 1891	480
do	C. C. Green	Jan. 28, 1897	425
do	A. G. Lounsberry	May 15, 1897	420
Head Farmer	Jens Jensen	June 1, 1896	630
Farmer.....	James Hall	Aug. 1, 1886	390
Gardener.....	Emmit I. Stone	May 15, 1897	240
do	Edward Hanneff	Oct. 1, 1885	510
Painter.....	John Shannahan.....	Mar. 1, 1886	630
Blacksmith.....	Slimeon Jones.....	Feb. 4, 1895	630
Mason.....	Augustus H. Evans	May 1, 1896	\$2 per day
Upholsterer.....	Charles B. Brizius.....	April 1, 1896	\$620
Tailor.....	P. J. O'Connor	Dec. 1, 1896	570
Shoemaker.....	James T. Goughary	May 1, 1888	570
Florist.....	James Connelly	Mar. 1, 1889	630
Watchman.....	Arthur Van Dyke	May 1, 1884	420
do	James Crawford.....	July 1, 1880	510
Policeman.....	Evan R. Evans	Nov. 1, 1893	420
Barber.....	Frank Wankel	May 1, 1893	422
Cook.....	De Forest Crozier.....	May 1, 1892	300
do	J. A. Stafford	June 1, 1893	300
do	Alida Shay	Jan. 1, 1897	300
Office boy.....	Edward A. Curran	Nov. 15, 1897	168
Supervisor.....	Edward Minesmayer	Aug. 1, 1897	422
do	E. E. Lowe	July 1, 1890	422
do	Melvin Pettingill.....	Dec. 1, 1881	540
do	Anna Pettingill.....	Mar. 1, 1882	480
do	Kathryn Quinn	Oct. 1, 1897	360
do	Permella Brown	May 1, 1889	420
Nurse.....	W. J. Creagh	May 1, 1894	326
do	Samuel McCormick.....	July 1, 1890	326
do	H. O. Berdine.....	May 1, 1890	326
do	H. Van Tassel.....	May 1, 1892	348
do	Cora Moses	Aug. 1, 1890	276
do	Amber Doran	Oct. 1, 1893	276
do	Edna DeGraw.....	Dec. 1, 1892	276
do	Julia Tyler.....	Mar. 1, 1892	288
do	Clara Crozier.....	Mar. 1, 1892	276
do	Anna B. Rockwell	Mar. 1, 1891	320
do	Janie Emerson	June 1, 1889	276
do	C. M. Rockwell.....	Mar. 1, 1895	378
do	William H. rt.....	Mar. 1, 1891	326
do	Libbie Van Dyke	Sept. 1, 1894	312
do	Iantha Sloop.....	Aug. 1, 1891	276

State Hospital, Binghamton—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Nurse	Rachael Wiswell	Feb. 1, 1891	\$376
do	Francis Darling	Oct. 1, 1893	376
do	Charles Crawford	Mar. 1, 1894	336
do	John Coon	Dec. 1, 1899	346
do	Margaret Dooley	Oct. 1, 1893	340
do	Mamie Grace	Sept. 1, 1891	376
do	Nellie Smith	July 1, 1897	376
do	Lena Ryan	June 1, 1893	340
do	Lizzie Lucas	Mar. 1, 1894	376
do	Francis Ditzler	June 1, 1897	300
do	Helen Lowe	Mar. 1, 1897	340
do	Minnie Laughlin	June 1, 1897	288
do	Grace Lowe	June 1, 1897	376
do	Fannie Freeman	June 1, 1897	340
do	Emma Young	June 1, 1897	340
do	Thomas E. Nolan	June 1, 1897	300
do	Anthony J. Blake	June 1, 1897	300
do	James Young	June 1, 1897	336
do	John Gailor	June 1, 1897	336
do	Almon J. Oliver	June 1, 1897	300
do	C. L. White	June 1, 1897	336
do	Minnie Grace	June 1, 1897	276
do	C. N. Archer	June 1, 1897	336
Special Attendant	Alida Stowe	Aug. 1, 1896	380
do	Adelaide Chambers	Oct. 1, 1894	300
do	J. E. Paddleford	Sept. 1, 1895	360
do	E. J. Dressler	Nov. 1, 1893	372
do	James Dorsey	May 1, 1897	376
do	Charles W. Garrison	Sept. 1, 1893	436
do	Josephine Manning	Aug. 1, 1897	300
do	Minnie Freehill	Mar. 1, 1898	300
do	J. C. Anthony	Nov. 1, 1892	420
do	Madeline F. Smith	Jan. 4, 1897	380
do	Sherman E. Surdam	Jan. 16, 1897	380
do	N. B. Quick	Nov. 1, 1897	380
Attendant	Robert Stuart	Jan. 1, 1897	340
do	George F. Bissell	Oct. 1, 1896	340
do	Hubert P. Sabin	July 1, 1893	288
do	Mary Markham	May 1, 1890	216
do	Eta Hover	Jan. 1, 1897	216
do	D. Scanlon	Sept. 1, 1896	330
do	James Foley	Feb. 1, 1895	376
do	James Flynn	May 1, 1896	376
do	Charles J. Lenz	June 1, 1895	276
do	Lewis B. Smith	Jan. 1, 1894	264
do	Rose Stafford	Mar. 1, 1895	192
do	Mary Sabin	May 1, 1896	180
do	S. K. Edison	May 1, 1895	304
do	Esther Mills	Oct. 1, 1896	192
do	Jennie Smith	May 1, 1896	168
do	Dell Hardendorph	Mar. 1, 1896	312
do	Ophelia Thompson	Mar. 1, 1892	228
do	H. D. Hancock	June 1, 1896	340
do	Burt Finch	June 1, 1894	288
do	F. E. Wells	Sept. 1, 1895	284
do	Maurice Landers	May 1, 1896	264
do	Peter Dunn	May 1, 1890	380
do	Frank W. Evans	Jan. 1, 1892	300
do	Lyman Sherwood	Mar. 1, 1895	276
do	A. J. Oliver	April 1, 1896	332
do	W. H. Clair	Aug. 1, 1892	294
do	Ernest Dietz	June 1, 1896	308
do	Timothy Healey	Sept. 1, 1894	288
do	Charles Tobey	Oct. 1, 1896	340
do	Samuel Sherwood	June 1, 1896	272
do	Frank Saddlemire	Aug. 1, 1896	260
do	William S. Heath	Aug. 1, 1895	264
do	Wilbert Mead	Mar. 1, 1894	236
do	June Whittaker	Sept. 1, 1896	240
do	Frank Farrell	May 1, 1896	232
do	Homer Wright	June 1, 1896	312

State Hospital, Binghamton—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.	E. Bucknum	April 1, 1894	\$288
do	J. C. Laughlin	June 1, 1894	286
do	John Griffin	Sept. 1, 1895	264
do	James Sullivan	May 1, 1896	262
do	N. B. Glazier	July 1, 1896	240
do	E. G. Tyler	Aug. 1, 1894	312
do	Walter Emerson	Nov. 1, 1892	312
do	C. L. Barrows	May 1, 1894	252
do	M. B. Smith	Aug. 1, 1887	288
do	Delbert Spaulding	May 1, 1894	252
do	Harry M. Boyd	Nov. 1, 1890	348
do	W. D. Heath	June 1, 1894	288
do	William B. Smith	April 1, 1893	288
do	Al-x. Crawford	June 1, 1896	342
do	Perry V. Phillips	Mar. 1, 1895	276
do	Fre-d H. Norris	June 1, 1896	252
do	William B. Chapman	June 1, 1895	276
do	Cornelius Cronin	July 1, 1893	288
do	Irvin Possum	June 1, 1896	252
do	Hiram Rockwell	Feb. 1, 1891	378
do	Thomas J. Sullivan	July 1, 1890	324
do	William Dillon	May 1, 1896	252
do	E. Sullivan	Sept. 1, 1895	274
do	M. L. Thompson	Aug. 1, 1895	264
do	Gurden Probasco	April 1, 1896	354
do	Atwood Martz	Aug. 1, 1893	288
do	Joseph B. Goulden	May 1, 1896	276
do	Herman White	Oct. 1, 1896	240
do	Charles C. Buck	Sept. 1, 1895	264
do	Andrew Hanrahan	April 1, 1895	276
do	Charles Donovan	May 1, 1895	276
do	Nellie T. McMahon	May 6, 1897	168
do	Margaret F. Bahan	Feb. 11, 1897	168
do	Nellie L. Briggs	Jan. 25, 1897	168
do	Isabella Caldwell	May 11, 1897	168
do	Theresa Constable	April 12, 1897	168
do	Margaret Fagan	Sept. 18, 1897	168
do	Emma Kilpatrick	April 5, 1897	168
do	Julia I. Lawler	Aug. 18, 1897	168
do	Jennie McGarr	July 13, 1897	168
do	Stella Murphy	Feb. 25, 1897	168
do	Ina May Post	Mar. 7, 1897	168
do	Mary E. Rhode	Aug. 16, 1897	168
do	Nellie M. Rockwood	Aug. 23, 1897	168
do	Leah W. Heath	May 1, 1894	216
do	May Lane Wright	Sept. 1, 1895	192
do	Winifred Radeker	Dec. 1, 1896	252
do	Ella Hull	July 1, 1896	168
do	Belle Lloyd	April 1, 1894	216
do	Bertha Ferguson	July 1, 1892	216
do	Jennie Donnellan	June 1, 1896	180
do	Harriet Ames	Nov. 1, 1896	168
do	Nora Griffith	Mar. 1, 1896	168
do	Mary Clark	June 1, 1894	216
do	Mattie Bennett White	June 1, 1894	192
do	Jessie Carnier	Aug. 1, 1894	204
do	Lizzie Holmes	Aug. 1, 1896	168
do	Minnie Ring	Nov. 1, 1896	168
do	Clara Goulden	Sept. 1, 1895	192
do	Idilia Todd Dietz	Nov. 1, 1896	168
do	Verna Darling	July 1, 1896	168
do	Cora Archer	Feb. 1, 1892	216
do	Viola Dennis	Mar. 1, 1892	300
do	Mary McNerny	Jan. 1, 1891	228
do	Ida Weber	Feb. 1, 1893	192
do	Olive Ferris	Mar. 1, 1896	152
do	Nora Dowd	Nov. 1, 1892	204
do	Maud Phelps	Sept. 1, 1895	192
do	Maggie Foley	Mar. 1, 1896	180
do	Kate Keegan	April 1, 1894	216
do	Blanche Cresson	Nov. 1, 1896	168

State Hospital, Binghamton—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position	Compensation.
Attendant.....	Mary Gillett.....	Oct. 1, 1894	\$216
do	Callie Kentner.....	Mar. 1, 1895	240
do	Delle Phillips.....	July 1, 1896	188
do	Ella Pitkin.....	May 1, 1895	204
do	Anna Kennedy.....	Jan. 1, 1896	180
do	Ella McLean.....	May 1, 1899	308
do	Alice Smallwood.....	May 18, 1898	216
do	Lizzie Nagle.....	Dec. 1, 1892	216
do	Kate Fitzgerald.....	Feb. 1, 1898	216
do	Bella Dearborn.....	Oct. 1, 1895	192
do	Flora Sherwood.....	Aug. 1, 1896	158
do	Blanche Valentine.....	July 1, 1896	156
do	Mate Rogers.....	April 1, 1898	228
do	Alice Bogart.....	Sept. 1, 1896	168
do	Mary Sweeney.....	Feb. 1, 1895	204
do	Bridget Maloney.....	May 1, 1895	204
do	Maggie Hanrahan.....	Nov. 1, 1896	168
do	Maggie White.....	Feb. 1, 1893	216
do	Carolyn Smallwood.....	July 1, 1896	168
do	Irene Sloop.....	Aug. 1, 1892	252
do	Delia Welch.....	April 1, 1898	216
do	Maggie Hart.....	Oct. 1, 1890	180
do	Nellie Griffin.....	May 1, 1894	216
do	Anna Moran.....	Oct. 1, 1895	192
do	Parmelia Anson.....	June 1, 1898	276
do	Jennie Benshoff.....	Nov. 1, 1893	216
do	Cora Gilbert.....	Oct. 1, 1894	216
do	W. J. Gilbert.....	Oct. 1, 1894	268
do	Charles Baker.....	Sept. 1, 1898	268
do	Mary Baker.....	June 1, 1895	204
do	Lena Crawford.....	April 1, 1894	216
do	John Shea.....	May 1, 1899	268
do	Maud Coon.....	Mar. 1, 1893	216
do	Katie Shea.....	June 1, 1898	216
do	Anna F. Sheak.....	Aug. 9, 1897	168
do	Archie Bowen.....	April 9, 1897	240
do	R. E. Brown.....	June 19, 1897	240
do	Edward C. Flynn.....	Jan. 27, 1897	240
do	Frank A. Jaycox.....	June 10, 1897	240
do	William J. McDonough.....	Mar. 29, 1897	240
do	William P. Mitchell.....	Sept. 16, 1897	240
do	T. F. Murphy.....	Aug. 6, 1897	240
do	Frank G. Russell.....	Mar. 2, 1897	240
do	Thomas J. Shea.....	April 9, 1897	240
do	Charles A. Wisdom.....	Jan. 1, 1897	240
do	Fred W. Witter.....	May 6, 1897	240
do	Howard H. Wright.....	May 30, 1897	240
do	Earl B. Wheaton.....	Sept. 27, 1897	240
do	Henry N. Egbert.....	Oct. 16, 1897	240
do	J. Morgan Weldy.....	Nov. 18, 1897	240
do	Angeline Brink.....	Nov. 29, 1897	168
do	Douglas Dunbar.....	Nov. 30, 1897	240
do	Carrie O. Rutledge.....	Dec. 18, 1897	168
do	Edith Sabin.....	Dec. 1, 1897	168
do	Isabella J. Hanson.....	Jan. 1, 1897	192
do	Maude L. Strouse.....	Oct. 16, 1897	168
Usher.....	Lizzie Armstrong.....	Jan. 1, 1895	208

Long Island State Hospital, Brooklyn.

Unclassified Service.

Manager.....	Alexander E. Orr.....	1895	None
do	Evan F. Smith.....	1895	do
do	Theron L. Smith.....	1895	do
do	John G. Deubert.....	1895	do
do	Mrs. Mary E. Jones.....	1895	do
do	Truman J. Backus.....	1895	do

Long Island State Hospital, Brooklyn—(Continued).

Class I.

Position.	NAME.	Date of entrance into position.	Compensation.
Treasurer	Henry E. Abell.....	Nov. 1, 1896	\$3,500
Chaplain	Rev. John T. Woods.....	Oct. 1, 1896	300
do	Rev. S. C. Williams.....	Oct. 1, 1896	300
Attorney	Marcus D. Campbell.....	Dec. 1, 1897	2,000

Class II.

Medical Superintendent.....	Robert M. Elliott, M. D....	Dec. 1, 1896	2,700
First Assistant Physician.....	Ira O. Tracy, M. D.....	Dec. 1, 1890	2,500
Second Assistant Physician.....	Edward D. Warren, M. D....	Aug. 1, 1896	1,700
Assistant Physician.....	Frederick M. Nehrbas, M. D.	Oct. 1, 1892	1,500
Junior Physician.....	Edward A. Hoffman, M. D....	June 1, 1897	900
do	Arthur A. Capron, M. D....	May 1, 1897	900
Woman Physician.....	Caroline M. Stengle, M. D....	Feb. 1, 1897	1,000
Medical Intern.....	Edward Parker, M. D.....	Sept. 1, 1897	600
Matron	Mary A. Johnson.....	Oct. 1, 1896	648
Apothecary	William M. Tompkins.....	Oct. 1, 1896	588
Stenographer	Amy L. Blunt.....	Sept. 1, 1897	480
Assistant Steward.....	William Hill.....	June 1, 1896	900
Voucher, Treasurer and Clerk.....	Mary H. Clay.....	Feb. 1, 1896	504
Storekeeper	Henry J. Downs.....	Sept. 1, 1897	600
Electrical Engineer.....	Willis Roth.....	Dec. 1, 1896	900
Assistant Electrical Engineer.....	Walter Cookson.....	Oct. 1, 1897	810
Assistant Steam Engineer.....	Stephen Morrissey.....	Oct. 1, 1896	720
do do	Patrick Garrahan.....	May 1, 1892	720

Class III.

Watchman	James Quinn.....	April 1, 1897	510
do	Michael Carr.....	Jan. 1, 1894	480
Policeman	August Roofor.....	Feb. 1, 1897	480
do	William M. Kelleher.....	July 1, 1898	480
Barber	Joseph Conway.....	May 1, 1894	570
Page	William Cochrane.....	April 15, 1897	180
Florist	Jepe Jepson.....	May 1, 1896	612
Guarder.....	James Brady.....	Jan. 1, 1896	444
Plumber	Joseph C. Snyder.....	June 1, 1896	810
Steam Fitter.....	James F. McAvoy.....	July 1, 1896	810
Firemen	Joseph Reardon.....	Oct. 1, 1897	600
do	John Ryan.....	June 1, 1896	480
do	John Kelleher.....	Jan. 1, 1896	480
do	Phillip McHugh.....	Nov. 1, 1895	480
do	John Clements.....	Dec. 1, 1897	480
Head Carpenter.....	John J. Mulhorn.....	Feb. 1, 1894	810
Carpenter.....	John Harrigan.....	May 1, 1894	600
Painter.....	Henry Fickelissen.....	Aug. 1, 1896	720
Mason.....	Joseph Connelly.....	May 1, 1896	720
Shop Foreman.....	James Donovan.....	Nov. 1, 1890	540
Tailor.....	Michael Kennedy.....	Oct. 1, 1897	480
Laundry Overseer.....	George Thompson.....	Aug. 1, 1896	600
Launderer.....	Chas. F. Reynolds.....	April 1, 1895	480
Head Launderess.....	Sarah Hatton.....	Jan. 1, 1896	300
Launderess.....	Kate Wilkins.....	May 1, 1897	180
do	Hannah Donovan.....	June 1, 1891	180
do	Mary Howard.....	May 1, 1897	180
do	Henrietta Gillespie.....	Jan. 1, 1896	180
do	Lizzie Darragh.....	Sept. 1, 1894	180
do	Nellie Keane.....	Dec. 1, 1896	180
do	Nora Carroll.....	June 1, 1895	180
do	Mary A. Farrell.....	Oct. 1, 1896	180
Meat Cutter.....	David Edwards.....	Jan. 1, 1892	480
do	Charles Gormley.....	June 1, 1897	252
Head Cook.....	Wm. Lipton.....	July 1, 1895	480
Cook	Nora Storey.....	Aug. 1, 1897	300
do	James J. Brady.....	July 1, 1896	300
do	Lydia D. Hoppe.....	Oct. 1, 1897	300
do	Nellie Mills.....	Feb. 1, 1897	300
do	Margaret Potter.....	May 1, 1897	240
do	Mary Sharkey.....	Sept. 1, 1897	240

Long Island State Hospital, Brooklyn—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Special attendant.....	Thomas Meehan.....	July 1, 1892	\$420
do	Elizabeth Gilbert.....	Dec. 1, 1895	394
do	Mary O'Neill.....	Dec. 1, 1891	216
do	Edward Mollerander.....	Nov. 1, 1897	360
do	Nettie Williams.....	Jan. 1, 1896	300
do	Harvey O. Dutcher.....	Aug. 19, 1897	372
do	Mary L. O'Neill.....	Mar. 25, 1895	312
do	Lawrence Dowling.....	May 14, 1897	440
do	John Cramer.....	Aug. 21, 1894	196
Chief Supervisor.....	Thomas Rooney.....	Dec. 1, 1887	600
do	Johanna Stack.....	June 1, 1882	540
Supervisor.....	Wm. Dempsey.....	Jan. 1, 1896	468
do	Mary Sullivan.....	Jan. 1, 1896	408
Attendant.....	Wm. Munn.....	June 1, 1888	260
do	Patrick McPartland.....	Nov. 1, 1889	360
do	Kyran Costigan.....	Sept. 1, 1897	300
do	James Martin.....	Jan. 1, 1888	350
do	Augustus Dunbar.....	Nov. 1, 1896	414
do	Nellie Lorean.....	July 1, 1895	264
do	Nellie Donohue.....	Aug. 1, 1895	264
do	Kate Reilly.....	Aug. 1, 1895	264
do	Mary Dorman.....	Jan. 1, 1896	264
do	James Gallagher.....	May 1, 1898	348
do	Patrick Flynn.....	Jan. 1, 1894	248
do	John P. Dunn.....	Oct. 1, 1897	300
do	George Sechler.....	Jan. 1, 1897	312
do	John McMorrow.....	Jan. 1, 1896	294
do	Honora Murphy.....	Oct. 1, 1874	300
do	Nora Sullivan.....	Mar. 1, 1878	300
do	Kate Keenan.....	Mar. 1, 1889	300
do	Kate Keogh.....	Mar. 1, 1896	252
do	Mary Bergen.....	Nov. 1, 1896	252
do	Kate Harrigan.....	Mar. 1, 1893	268
do	Bridget McHugh.....	April 1, 1893	268
do	Mary Hamman.....	April 1, 1893	268
do	Lizzie Dalton.....	Feb. 1, 1897	240
do	Mary J. O'Dare.....	Dec. 1, 1894	276
do	Ellen Treacy.....	Dec. 1, 1894	276
do	Teasie O'Rourke.....	Feb. 1, 1895	264
do	Bridget Feeney.....	May 1, 1895	264
do	Bridget Walsch.....	June 1, 1895	264
do	Maggie Lyons.....	June 1, 1893	312
do	Daniel Sharpe.....	April 1, 1896	280
do	Patrick Kelly.....	July 1, 1897	264
do	Wm. Mason.....	July 1, 1895	300
do	Henry Wilson.....	Nov. 1, 1897	268
do	John Holder.....	Feb. 1, 1897	264
do	Wm. McTaggart.....	Jan. 1, 1897	268
do	James Gilhoolley.....	Oct. 1, 1895	300
do	A. J. Coffey.....	April 1, 1896	378
do	James Coffey.....	May 1, 1897	354
do	Thomas O'Dare.....	May 1, 1896	288
do	James J. Davis.....	April 1, 1897	264
do	Patrick H. d'glus.....	Feb. 1, 1893	268
do	Stephen Hammond.....	Sept. 1, 1896	264
do	John Kelleher.....	Jan. 1, 1897	252
do	Bernard Mallon.....	Oct. 1, 1897	240
do	J. J. Morrissey.....	Dec. 1, 1897	240
do	Valentine Wiseman.....	Nov. 1, 1897	240
do	Henry Price.....	Sept. 1, 1897	240
do	Jeremiah Singleton.....	Sept. 1, 1895	268
do	James Caragher.....	Oct. 1, 1896	264
do	Robert Meyers.....	Oct. 1, 1896	264
do	Thomas McNelly.....	July 1, 1897	342
do	Edward Doyle.....	Nov. 1, 1897	260
do	Daniel J. Cassidy.....	Aug. 1, 1897	260
do	Gustave Schmidt.....	Sept. 1, 1897	260
do	Thomas O'Connell.....	Sept. 1, 1896	264
do	Jones Gibbons.....	Dec. 1, 1896	268
do	John J. White.....	Sept. 1, 1897	240
do	Henry Doyle.....	July 1, 1897	260
do	John Benbow.....	Aug. 1, 1897	260
do	John O'Shea.....	July 1, 1896	276

Long Island State Hospital, Brooklyn—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Thos. J. Mason.....	Nov. 1, 1896	\$364
do	John Clancy	April 1, 1897	353
do	Edwin Thompson.....	July 1, 1896	376
do	Walter Farrand.....	Aug. 1, 1897	340
do	Charles Brady.....	Oct. 1, 1897	340
do	John F. Spearman.....	Jan. 1, 1897	324
do	Edward Kelley.....	April 1, 1897	352
do	John Barlow.....	Jan. 1, 1898	340
do	George Creighton.....	June 1, 1897	353
do	Wm. McGowan.....	July 1, 1894	343
do	Henry B. MacIlravy.....	Aug. 1, 1897	330
do	John J. Smith.....	June 1, 1895	373
do	J. J. Hogan.....	Dec. 1, 1897	340
do	George Young.....	July 1, 1897	352
do	Grant Kingsley.....	Jan. 1, 1896	338
do	Marcellus McKinney.....	Sept. 1, 1897	340
do	Egar A. Chamberlain.....	April 1, 1896	300
do	John Quinn.....	June 1, 1896	338
do	Thomas Callery.....	Nov. 1, 1897	340
do	Eugen Moynihan.....	Nov. 1, 1895	338
do	Jacob Skipper.....	Oct. 1, 1897	340
do	Michael Mulhern.....	April 1, 1897	279
do	Peter Corovan.....	Dec. 1, 1892	338
do	Jane Kelly.....	Nov. 1, 1881	216
do	Julia Farrelly.....	July 1, 1894	216
do	Gertrude Rathburn.....	June 1, 1896	252
do	Ellen Rogers.....	Aug. 1, 1897	216
do	Lottie Franklin.....	July 1, 1897	180
do	Louisa Knight.....	Dec. 1, 1897	168
do	Nellie Detweiler.....	Sept. 1, 1896	216
do	Ella Sullivan.....	Dec. 1, 1897	168
do	Lillie Bolton.....	Jan. 1, 1898	168
do	Mary J. Gilbride.....	Nov. 1, 1896	192
do	Florence Cam.....	April 1, 1896	304
do	Mary O'Hanlon.....	Dec. 1, 1897	168
do	Elsie M. Kennedy.....	Oct. 1, 1897	168
do	Bessie Bennison.....	Aug. 1, 1897	168
do	Annie Connelly.....	May 1, 1896	304
do	Mildred B. Chapman.....	Jan. 1, 1896	168
do	Theresa Lyons.....	Aug. 1, 1893	216
do	Ella Reilly.....	May 1, 1894	215
do	Margaret Keefe.....	Nov. 1, 1897	168
do	Nina Ryan.....	Nov. 1, 1894	216
do	Mary McTiernan.....	Nov. 1, 1894	216
do	Nellie Donnelly.....	Aug. 1, 1896	192
do	Mary Hart.....	Feb. 1, 1895	216
do	Emily Liddy.....	Mar. 1, 1896	216
do	Annie Burns.....	May 1, 1896	304
do	Mamie McGuire.....	July 1, 1897	180
do	Margaret Ryan.....	Dec. 1, 1896	192
do	Mary J. Dodge.....	July 1, 1896	304
do	Cecelia Barry.....	Mar. 1, 1897	180
do	Belle Roberts.....	June 1, 1897	180
do	Mary L. Stack.....	Dec. 1, 1896	192
do	Annie Bell.....	Oct. 1, 1895	216
do	Julia Minogue.....	Jan. 1, 1897	192
do	Clara Gee.....	Nov. 1, 1892	216
do	Kate Clements.....	Nov. 1, 1897	168
do	Lizzie Christal.....	May 1, 1895	216
do	Nellie Courtney.....	Sept. 1, 1897	168
do	Josephine Geoghegan.....	Sept. 1, 1897	168
do	Anna Farrell.....	Dec. 1, 1897	168
do	Kate Moore.....	Mar. 1, 1896	304
do	Alicia Martin.....	Mar. 1, 1896	304
do	Mary A. Quinn.....	Nov. 1, 1896	216
do	Mary E. Hickman.....	Sept. 1, 1897	168
do	Kate Hassel.....	May 1, 1896	304
do	Annie Ryan.....	Oct. 1, 1896	192
do	Emma Gilliland.....	Aug. 1, 1896	304
do	Elsie Hartman.....	Nov. 1, 1896	192
do	Helena McIntyre.....	Dec. 1, 1895	300
do	Maggie Lonergan.....	April 1, 1897	192
do	Sarah McInearney.....	Mar. 1, 1897	192

Long Island State Hospital, Brooklyn—(Continued).
Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Elizabeth Thornton.....	July 1, 1894	\$228
do.....	Kate Lenahan.....	April 1, 1899	228
do.....	Agnes Christal.....	May 1, 1895	228
do.....	Laura Fatherly.....	Sept. 1, 1896	204
do.....	Alice Van Stavern.....	Aug. 1, 1896	204
do.....	Helen M. Fee.....	Nov. 1, 1896	204
do.....	Lizzie Higgins.....	July 1, 1895	228
do.....	Marie Dickert.....	Aug. 1, 1895	228
do.....	Mamie Hines.....	June 1, 1895	318
do.....	Mary O'Meara.....	Oct. 1, 1895	228
do.....	Kate Fitzgerald.....	Aug. 1, 1899	216
do.....	Nora Bradley.....	Sept. 1, 1896	192
do.....	Rose McGee.....	Feb. 1, 1894	144
do.....	Mary Patterson.....	Oct. 1, 1895	216
do.....	Martha Johnson.....	April 1, 1897	180
do.....	Ellen A. White.....	Sept. 1, 1897	168
do.....	Lillian De Cantillon.....	April 1, 1897	180
do.....	Elizabeth Bryant.....	Mar. 1, 1894	216
do.....	Louisa Martin.....	Feb. 1, 1897	216
do.....	Mary Driscoll.....	April 1, 1894	264
do.....	Laura Sechler.....	Aug. 1, 1896	264

Kings Park Department.

Class I.

Chaplain.....	Rev. N. O. Halsted.....	April 1, 1897	300
do.....	Rev. J. E. Bennett.....	June 1, 1897	300
Steward.....	F. A. Wheeler.....	June 1, 1896	2,100

Class II.

General Superintendent.....	Oliver M. Dewing, M. D.....	Aug. 1, 1897	4,000
Medical do.....	Herman C. Everts, M. D.....	Jan. 1, 1896	2,500
First Assistant Physician.....	Louis W. Dodson, M. D.....	April 1, 1896	2,100
Second do do.....	John McGuire, M. D.....	Jan. 1, 1896	1,700
do do do.....	Dabney Trice, M. D.....	Feb. 1, 1894	1,500
Junior Physician.....	Gustave A. Mack, M. D.....	July 1, 1896	1,100
do do.....	W. H. Hazenbuch, M. D.....	July 15, 1896	1,100
do do.....	B. G. Williams, M. D.....	Mar. 5, 1895	1,100
Apothecary.....	Henry Knopf.....	Sept. 1, 1894	552
Stenographer (General Supt.).....	Augusta Palmer.....	June 1, 1894	553
Assistant Steward.....	W. A. Thomas.....	June 1, 1897	900
Bookkeeper.....	Lewis Webb.....	Nov. 1, 1895	886
Accountant.....	Oliver A. Kilmer.....	Nov. 1, 1895	766
Stenographer, Steward's Dept.....	Mary E. Patterson.....	Dec. 1, 1895	526
do do do.....	William L. Buck.....	Oct. 1, 1897	600
Storekeeper.....	Clifford Crosby.....	Oct. 1, 1895	526
Chief Engineer.....	William Kufolle.....	Dec. 1, 1895	1,200
Assistant do.....	Michael Hogan.....	Nov. 1, 1896	840
do do.....	Daniel Watson.....	Dec. 1, 1894	840
Electrical Engineer.....	John Groel.....	April 1, 1894	900
Assistant Electrical Engineer.....	Maxwell Cooley.....	June 1, 1896	840

Class III.

Policeman.....	Andrew Inglis.....	Nov. 1, 1897	510
do.....	David O'Keefe.....	Nov. 1, 1896	420
Barber.....	Charles Knightly.....	Aug. 1, 1896	504
do.....	Charles Warren.....	June 1, 1894	576
Watchman.....	Anthony Collins.....	Nov. 1, 1895	510
Housekeeper.....	Mary Smith.....	June 1, 1896	312
Clothing Clerk.....	Alice Comstock.....	Nov. 1, 1897	300
Clothing Marker.....	Thomas Kenny.....	July 1, 1893	296
Plumber.....	P. R. McKeon.....	Dec. 1, 1893	720
do.....	Thomas Dawson.....	May 1, 1895	840
Steamfitter.....	Michael Foley.....	May 1, 1897	840
do.....	John Cronin.....	Aug. 1, 1896	840

Kings Park Department—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Steamfitter's Helper.....	William Healey.....	Feb. 1, 1898	\$360
do	John Shannon	May 1, 1896	408
Fireman	David T ner	Nov. 1, 1897	480
do	Michael Rafter	Dec. 1, 1892	600
do	John Doyle	Nov. 1, 1897	400
do	J. B Blydenburgh	Mar. 1, 1897	600
do	William Guerin	Nov. 1, 1896	600
do	Joseph Brady	Nov. 1, 1897	600
do	Thomas Walker	April 1, 1896	600
do	James O'Reilly	Nov. 1, 1897	600
do	Abram Taylor	May 1, 1897	480
do	Henry Reidel	Sept. 1, 1896	600
Laundry Overseer	William Shannon	Jan. 1, 1896	720
Laundrer	James Dwyer	April 1, 1895	300
do	Michael O'Reilly	June 1, 1897	390
Head Laundress	Kate O'Rourke	Aug. 1, 1896	300
Laundress	Catherine Simpson	July 1, 1894	180
do	Mary Higgins	Nov. 1, 1896	180
do	Theresa Clare	Mar. 1, 1896	180
do	Lizzie Lacey	Mar. 1, 1896	180
do	Mary Hegarty	Aug. 1, 1897	300
do	Agnes Kelly	July 1, 1896	180
do	Julia O'Leary	Aug. 1, 1897	180
Baker	George Staudt	Mar. 1, 1896	690
Assistant Baker	Lawrence Labell	Oct. 1, 1897	420
Meat Cutter	Henry Torns	Aug. 1, 1896	480
do	John Kenny	Dec. 1, 1893	288
Mattress Maker	Patrick Cummins	May 1, 1898	528
Dressmaker	Carrie Savage	Dec. 1, 1898	360
Seamstress	Mary Levy	May 1, 1894	216
do	Mary Dowling	Aug. 1, 1896	192
do	Elizabeth Groel	April 1, 1894	216
Head Farmer	Benjamin Bailey	Mar. 1, 1896	642
Farmer	Warren Conklin	April 1, 1898	480
Dairyman	Charles Shaw	June 1, 1896	432
Florist	Bernard Roozen	July 1, 1896	612
Gardener	John Swartz	Jan. 1, 1897	552
Head Cook	Joseph McDonald	April 1, 1895	540
do	Robert Walsh	Oct. 1, 1897	480
do	Charles Ashenden	Aug. 1, 1897	360
do	Francis Squires	Aug. 1, 1896	360
do	Joseph Lattorre	June 1, 1894	348
do	Ella Lucy	Nov. 1, 1897	270
do	Bridget Conroy	Sep. 1, 1897	240
do	Esther Redmond	Nov. 1, 1897	240
do	Anna Harvey	June 1, 1897	240
Cook	James Rowe	Oct. 1, 1897	300
do	Lizzie Fitzpatrick	May 1, 1897	300
Head Carpenter	Edward Walsh	Dec. 1, 1893	720
Carpenter	Brewster Smith	Sep. 1, 1897	498
do	Frank Broderick	June 1, 1898	548
do	John Kinselle	April 1, 1895	280
Mason	Jesse Ball	Nov. 1, 1896	720
do	Patrick Burke	Dec. 1, 1895	584
Painter	M. V. Hubbs	March 1, 1897	720
do	William Crory	Oct. 1, 1897	240
Tinsmith	John T. Davis	Sep. 1, 1896	372
Wheelwright	Alonson Blydenburgh	Sep. 1, 1897	360
Locksmith	Patrick Kiernan	Feb. 1, 1897	420
Tailor	David Fortune	Nov. 1, 1897	480
do	Joseph Perridge	Dec. 1, 1897	360
Shoemaker	Daniel McKillan	Sep. 1, 1899	660
Glazier	Patrick Lynch	April 1, 1894	378
Sp cial Attendant	Frank Barnard	April 1, 1897	480
do	Francis Pigott	March 1, 1897	480
do	John McTiernan	Jan. 1, 1894	376
Supervisors	James Platfoot	March 1, 1894	564
do	George Stanford	Nov. 1, 1897	420
do	Charles Mc Morrow	May 1, 1897	432
do	Emily Carroll	Oct. 1, 1895	456
do	Bridget Dunn	March 1, 1896	420
do	Kate O'Reagan	April 1, 1897	372

Kings Park Department—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	William H. Smith.....	Oct. 1, 1897	\$300
do	Thomas McManus.....	May 1, 1891	260
do	Thomas Tobin.....	Oct. 1, 1897	300
do	John King.....	Oct. 1, 1897	300
do	Michael Rogan.....	Aug. 1, 1898	360
do	James Donohue.....	Nov. 1, 1896	312
do	Thomas Tierney.....	June 1, 1897	300
do	Thomas Donnelly.....	April 1, 1894	236
do	Erwell Fenton.....	May 1, 1897	330
do	William Staehlin.....	May 1, 1897	300
do	Henry Elsebough.....	Aug. 1, 1897	390
do	John Morrissey.....	July 1, 1894	336
do	Arthur Satchell.....	Sep. 1, 1897	420
do	Charles O'Hara.....	Oct. 1, 1894	336
do	William Cornyn.....	Nov. 1, 1896	312
do	John J. Kelly.....	Aug. 1, 1896	294
do	Joseph M. Gallagher.....	Jan. 1, 1898	240
do	Henry Glibraith.....	Oct. 1, 1897	240
do	George Hoelper.....	June 1, 1896	266
do	John Crimmins.....	July 1, 1897	232
do	Charles Maston.....	Aug. 1, 1897	360
do	William E. Gould.....	April 1, 1897	372
do	William O'Donohue.....	May 1, 1897	252
do	John Culver.....	Feb. 1, 1897	252
do	Owen Johnson.....	May 1, 1897	252
do	John Dorian.....	Nov. 1, 1896	264
do	John Rohlf.....	Oct. 1, 1897	240
do	Jay W. Thompson.....	Jan. 1, 1898	240
do	Thomas Leddy.....	July 1, 1894	268
do	Anton Zaikowaki.....	Aug. 1, 1897	360
do	James Marsh.....	July 1, 1897	252
do	John Dolan.....	Jan. 1, 1898	268
do	Thomas Conroy.....	Aug. 1, 1897	240
do	Charles Esser.....	July 1, 1897	252
do	Emil Heyer.....	July 1, 1896	276
do	Edward Prendergast.....	Oct. 1, 1894	348
do	Andrew Johnson.....	Oct. 1, 1897	240
do	Thomas H. Fitzgerald.....	Nov. 1, 1897	240
do	Oscar T. Conklin.....	Dec. 1, 1897	240
do	Patrick Kearns.....	April 1, 1896	268
do	George Kennedy.....	May 1, 1896	276
do	James Ramsey.....	Dec. 1, 1897	240
do	Martin Van Praag.....	Dec. 1, 1897	240
do	John F. Healey.....	Nov. 1, 1896	288
do	George W. Stark.....	Sept. 1, 1897	240
do	A. J. Smith.....	April 1, 1889	408
do	Martin Delaney.....	April 1, 1889	268
do	Patrick McNulty.....	Feb. 1, 1894	268
do	John McCarthy.....	Aug. 1, 1896	264
do	Dennis Donovan.....	Aug. 1, 1896	264
do	Patrick Gallagher.....	Jan. 1, 1893	300
do	Peter McConville.....	June 1, 1895	268
do	James McNamara.....	July 1, 1897	252
do	William Wall.....	Oct. 1, 1897	240
do	Peter Johnson.....	Nov. 1, 1897	260
do	Olive Stanford.....	Sept. 1, 1897	168
do	Frank Kenny.....	April 1, 1895	268
do	Thomas Fitzgerald.....	April 1, 1895	268
do	Delos Ellarson.....	Dec. 1, 1895	408
do	J. F. Harmon.....	Oct. 1, 1897	240
do	Robert Altken.....	May 1, 1896	276
do	William Mason.....	Aug. 1, 1897	240
do	Herbert DeArmitt.....	Sept. 1, 1897	240
do	Thomas A. Murphy.....	Dec. 1, 1896	264
do	J. V. O'Connor.....	Aug. 1, 1898	276
do	Patrick Conroy.....	May 1, 1898	268
do	John O'Toole.....	Jan. 1, 1896	268
do	Richard Grogan.....	Jan. 1, 1898	240
do	Frank T. Spollen.....	Jan. 1, 1898	240
do	Thomas Quigley.....	Oct. 1, 1896	264
do	James Shaugnessy.....	Sept. 1, 1895	268
do	Francis E. Byrne.....	Jan. 1, 1898	240

Kings Park Department—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Frederick M. Winckler.....	July 1, 1896	\$276
do.....	Thomas Whitesel.....	Oct. 1, 1897	240
do.....	Charles Thompson.....	April 1, 1897	252
do.....	George Fish.....	April 1, 1893	378
do.....	Jacob Field.....	April 1, 1896	396
do.....	Michael Hegarty.....	Dec. 1, 1895	406
do.....	John Connell.....	Oct. 1, 1896	362
do.....	Carl Ludwig.....	June 1, 1897	362
do.....	Patrick McCloud.....	June 1, 1897	252
do.....	Herman J. Bush.....	Sept. 1, 1896	264
do.....	Harry W. Harpster.....	Jan. 1, 1898	240
do.....	Ernest Flatfoot.....	Oct. 1, 1894	288
do.....	William Hipkiss.....	Nov. 1, 1897	240
do.....	James Fitzgerald.....	Sept. 1, 1897	240
do.....	Patrick Dowling.....	April 1, 1891	378
do.....	James Noonan.....	Nov. 1, 1896	362
do.....	Thomas Lakeman.....	May 1, 1897	252
do.....	David Troy.....	Nov. 1, 1896	264
do.....	John F. Murphy.....	Dec. 1, 1896	352
do.....	Frank O'Dare.....	Mar. 1, 1896	276
do.....	William Kugleman.....	Aug. 1, 1896	264
do.....	Michael Martin.....	Sept. 1, 1897	240
do.....	A. M. Darling.....	Nov. 1, 1897	252
do.....	Annie F. Gildersleeve.....	April 1, 1897	252
do.....	John McNamara.....	June 1, 1897	252
do.....	Kate Owens.....	Aug. 1, 1890	300
do.....	Mary Slack.....	Sept. 1, 1890	300
do.....	Arabella Ross.....	April 1, 1897	240
do.....	Constantia Ross.....	Sept. 1, 1897	240
do.....	Bridget Coyle.....	Nov. 1, 1896	288
do.....	Bridget Tumney.....	Mar. 1, 1894	276
do.....	Ellen Kickham.....	Dec. 1, 1897	240
do.....	Margaret Reilly.....	Sept. 1, 1894	276
do.....	Bridget Leddy.....	Oct. 1, 1894	276
do.....	Annie Dorian.....	Nov. 1, 1896	252
do.....	Bridget Fleming.....	Aug. 1, 1897	168
do.....	Annie O'Donohue.....	May 1, 1897	180
do.....	Honora McTiernan.....	Feb. 1, 1897	180
do.....	Lillie Armstrong.....	Oct. 1, 1897	168
do.....	Rebecca Monroe.....	Jan. 1, 1898	168
do.....	Lizzie Hubbs.....	June 1, 1897	180
do.....	Emma Abell.....	June 1, 1897	180
do.....	Margaret Kennedy.....	July 1, 1897	180
do.....	Nettle Johnston.....	May 1, 1897	180
do.....	Anna Beaumont.....	Nov. 1, 1897	168
do.....	Annie Brady.....	July 1, 1895	216
do.....	Mary E. Reilly.....	Nov. 1, 1896	192
do.....	Cordella Flatfoot.....	Nov. 1, 1897	180
do.....	Mary Sullivan.....	Sept. 1, 1896	252
do.....	Ellen McDonnell.....	Mar. 1, 1895	264
do.....	Nettle McMillan.....	Nov. 1, 1897	240
do.....	Margaret Collins.....	Oct. 1, 1897	240
do.....	Martha Connell.....	May 1, 1896	252
do.....	Mary Grogan.....	Sept. 1, 1895	252
do.....	Elizabeth McCall.....	Dec. 1, 1895	216
do.....	Mary Stark.....	Sept. 1, 1897	168
do.....	Lettie A. Houck.....	Nov. 1, 1897	168
do.....	Anna Burke.....	Feb. 1, 1896	204
do.....	Ellen Baxter.....	Jan. 1, 1897	192
do.....	Mary Sullivan.....	Aug. 1, 1896	168
do.....	Margaret Griffen.....	Aug. 1, 1896	192
do.....	Lena Moley.....	Mar. 1, 1897	180
do.....	Emily Peterson.....	Mar. 1, 1895	216
do.....	Nettie M. Reilly.....	Nov. 1, 1897	168
do.....	Mary Walker.....	Sept. 1, 1896	192
do.....	Louisa V. Stites.....	July 1, 1896	204
do.....	Mary Stewart.....	July 1, 1896	168
do.....	Bridget Carmody.....	Sept. 1, 1897	180
do.....	Minnie Warren.....	Jan. 1, 1897	168
do.....	Minnie C. Moley.....	Sept. 1, 1897	168
do.....	Susan Maxwell.....	Nov. 1, 1896	182
do.....	Cecelia Walsh.....	Nov. 1, 1896	192

Kings Park Department—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	William Joyce	April 1, 1896	\$234
do	Robert Gibson.....	April 1, 1896	234
do	James White.....	Feb. 1, 1896	234
do	Charles O'Connor.....	Jan. 1, 1897	236
do	Richard McCabe.....	Oct. 1, 1894	300
do	Herbert Brown.....	Oct. 1, 1896	236
do	Alex. Bertin.....	Sept. 1, 1896	276
do	Henry C. Houck.....	Dec. 1, 1897	252
do	Philip Farrelly.....	July 1, 1897	264
do	Alex. M. Boyd.....	Aug. 1, 1897	264
do	Charles Buckley.....	Sept. 1, 1897	252
do	John Groves.....	Jan. 1, 1896	300
do	Thomas Byrne.....	Sept. 1, 1897	252
do	John Loughran.....	Oct. 1, 1897	252
do	Frank Upton.....	Mar. 1, 1897	264
do	John Duffy.....	Sept. 1, 1895	300
do	Richard Gildersleeve.....	Nov. 1, 1897	252
do	John Behan.....	Dec. 1, 1895	288
do	Kate McCabe.....	Mar. 1, 1895	276
do	Nora Keane.....	Mar. 1, 1895	276
do	Mary Smyth.....	July 1, 1896	204
do	Annie Marten.....	June 1, 1897	180
do	Cassie Hamilton.....	Dec. 1, 1896	192
do	Kate Egan.....	Oct. 1, 1897	180
do	Bridget Burns.....	Sept. 1, 1898	216
do	Kate Feeney.....	Oct. 1, 1898	216
do	Rosa G. Jarvis.....	Oct. 1, 1897	168
do	Kate Tierney.....	Nov. 1, 1897	168
do	Kate McMorow.....	July 1, 1897	180
do	Margaret Farrell.....	Dec. 1, 1897	168
do	Annie Larkin.....	June 1, 1897	180
do	Lizzie Quinn.....	June 1, 1897	180
do	Annie McCloude.....	June 1, 1897	180
do	Ida Chandler.....	Sept. 1, 1896	192
do	Mary Lane.....	June 1, 1897	180
do	Mary C. Ward.....	Oct. 1, 1897	168
do	Maggie Rohan.....	Nov. 1, 1897	168
do	Nellie Nagle.....	Dec. 1, 1897	168
do	Mary Gilhoolley.....	Aug. 1, 1894	216
do	Maggie Long.....	July 1, 1897	180
do	Catherine Lynch.....	Sept. 1, 1894	216
do	Marion Rowan.....	Dec. 1, 1897	168
do	Margaret Dunn.....	Oct. 1, 1894	216
do	Mary McMorow.....	May 1, 1897	180
do	Maud White.....	Dec. 1, 1898	192
do	Hannah Flynn.....	Sept. 1, 1895	216
do	Mary Alcorn.....	May 1, 1895	216
do	Minnie McNamara.....	Mar. 1, 1895	216
do	Bessie Doran.....	Oct. 1, 1895	216
do	Margaret Skelly.....	June 1, 1897	180
do	Mary E. McMorow.....	July 1, 1895	216
do	Elizabeth Kennedy.....	Dec. 1, 1897	168
do	Alma Peterson.....	June 1, 1897	180
do	Kate Lambert.....	Nov. 1, 1895	216
do	Della Reilly.....	Dec. 1, 1895	216
do	Agnes Brodie.....	Jan. 1, 1897	192
do	Alfarata Mott.....	Feb. 1, 1897	180
do	Margaret Esser.....	Dec. 1, 1895	216
do	Mary Kickham.....	Feb. 1, 1896	264
do	Mary Madden.....	Oct. 1, 1892	236
do	Frances Haley.....	Nov. 1, 1897	180
do	Elizabeth McEnerney.....	May 1, 1892	228
do	Mary J. O'Reilly.....	Oct. 1, 1896	204
do	Julia Sullivan.....	Sept. 1, 1897	180
do	Catherine Lacey.....	Dec. 1, 1894	236
do	Mary Norris.....	Jan. 1, 1897	204
do	Fannie Squires.....	Nov. 1, 1897	180
do	Theresa Roome.....	Feb. 1, 1895	236
do	Mary Carmody.....	May 1, 1897	192
do	Josephine O'Connor.....	April 1, 1897	192
do	Mary Zeimer.....	Nov. 1, 1897	180
do	Mary O'Connor.....	Sept. 1, 1896	204

State Hospital, Buffalo.

Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Manager	Thomas Lothrop	Jan. 11, 1893	None
do	Daniel H. McMillan	Mar. 6, 1896	None
do	John E. Pound	Mar. 6, 1895	None
do	Joseph P. Dudley	Mar. 6, 1895	None
do	Frederick P. Hall	Mar. 6, 1895	None
do	Mrs. Esther K. McWilliams	Mar. 6, 1897	None
do	Mrs. Jessie Holland Jewett	Mar. 6, 1897	None

Class I.

Treasurer	Elias S. Hawley	Dec. 1, 1893	\$1,500
Chaplain	No regular appointment		600
Steward	Thomas Wilding	June 1, 1892	2,000
Attorney	Vacant		1,500

Class II.

Medical Superintendent	Arthur W. Hurd, M. D.	Aug. 7, 1895	3,900
First Assistant Physician	Henry P. Frost, M. D.	Mar. 1, 1897	2,300
Assistant Physician	George G. Armstrong, M. D.	Jan. 18, 1895	1,700
do	Walter H. Conley, M. D.	Dec. 5, 1894	1,500
do	Joseph B. Bettis, M. D.	Dec. 5, 1895	1,200
Junior Physician	Edwin A. Bowerman, M. D.	Mar. 8, 1896	1,000
do	C. J. Patterson, M. D.	Dec. 1, 1897	900
Woman Physician	Helene Kuhlmann, M. D.	Dec. 1, 1892	1,500
Medical Intern	Edward G. Aldrich, M. D.	Dec. 6, 1897	600
Apothecary	Leslie H. English	Aug. 1, 1897	600
Matron	Florence A. Seeley	Feb. 1, 1888	720
Storekeeper	George J. Wheeler	Jan. 12, 1892	648
Stenographer	William M. Davis	Feb. 4, 1897	720
do	Anna G. Clarke	July 20, 1891	600
Bookkeeper	John E. Culp	Aug. 17, 1891	936
Accountant	Dennis W. Seymour	Dec. 31, 1889	816
Voucher and Treasurer's Clerk	Francis U. Burke	Nov. 4, 1893	576
Chief Engineer	Thomas Sutcliffe	Feb. 24, 1887	1,200
Assistant Engineer	William Goudy	Nov. 15, 1880	720
Electrical Engineer	James D. Leonard	Mar. 8, 1894	990
Assistant Electrical Engineer	H. L. Leonard	May 1, 1896	600

Class III.

Housekeeper	Jennie M. Barrett	Aug. 1, 1897	300
do	Eliza Brooks	July 17, 1891	312
Chef	James D. McNeal	June 20, 1895	900
Cook	Sophia R. Simons	June 26, 1893	800
do	Mary Bildstein	June 15, 1895	240
do	William Thomas	June 2, 1895	800
do	Margaret Collins	July 1, 1897	300
do	Martha Adams	Dec. 1, 1897	300
do	Ellen Walton	April 1, 1897	800
do	Bridget Fitzpatrick	July 1, 1893	240
do	Anna Hettr	Nov. 1, 1897	240
Baker	Fred. Roller	July 1, 1890	600
Assistant Baker	Julius Wihlfahrt	Dec. 28, 1896	420
Meatcutter	John Dila	Dec. 21, 1891	480
Laundry Overseer	Dennis Britt	Aug. 22, 1892	720
Head Laundress	Eliza Bullen	May 1, 1884	420
Watchman	Laure ce Dowd	May 1, 1896	420
do	John J. Cottrill	May 1, 1897	420
Shoemaker	Thomas McDermott	May 1, 1897	540
Steamfitter	William Griffith	Nov. 15, 1880	720
Fireman	Thomas Jones	July 25, 1889	480
do	John Vanhoff	Aug. 11, 1895	480
do	Griffith Pritchard	April 2, 1888	480
do	Joseph Vanhoff	Feb. 1, 1896	480
Head Carpenter	August Griep	June 1, 1885	720
Carpenter	Robert Braud	July 1, 1891	600
do	Powis Chaplin	May 8, 1896	600

State Hospital, Buffalo—(Continued).
(Class III—(Continued).)

Position.	NAME.	Date of entrance into position.	Compensation.
Painter.....	William Hussey.....	Oct. 26, 1889	\$600
Mason.....	William Graves.....	April 26, 1896	660
Tailor.....	James Fitzsimmonds.....	July 28, 1891	540
Shoemaker.....	Thomas E. McDermott.....	May 1, 1897	489
Policeman.....	Edward W. Gabriel.....	July 18, 1883	428
Barber.....	John Murby.....	June 29, 1891	480
Head Farmer.....	William King.....	May 8, 1882	576
Florist.....	Frank Faehr.....	Jan. 1, 1891	540
Gardener.....	James McRobb.....	May 26, 1896	429
do.....	James B. Geddes.....	July 7, 1891	420
Chief Supervisor.....	Mae Jones.....	Dec. 1, 1897	420
do.....	Peter Finnegan.....	Nov. 5, 1897	489
do.....	William Maloney.....	Oct. 21, 1892	528
do.....	Margaret Wilson.....	Oct. 5, 1888	540
Supervisor.....	Patrick O'Flanigan.....	Feb. 25, 1881	540
do.....	Kate Platte.....	Mar. 27, 1893	430
Nurse.....	Charles B. Frank.....	June 5, 1888	398
do.....	Patrick O'Leary.....	Feb. 2, 1890	398
do.....	George D. Mack.....	May 10, 1893	360
do.....	Thomas H. Campbell.....	June 8, 1891	360
do.....	Sadie Moore.....	Aug. 1, 1893	360
do.....	Frances St. John.....	May 29, 1892	336
do.....	George Wyatt.....	May 16, 1892	360
do.....	Mary Finnegan.....	April 13, 1895	360
do.....	Nettie Johnston.....	Aug. 29, 1892	336
do.....	Margaret McDonough.....	Jan. 1, 1891	360
do.....	Alma Colton.....	April 5, 1893	336
do.....	Mary A. Sutcliff.....	Aug. 15, 1891	312
do.....	Emma Scott.....	April 19, 1894	288
do.....	Nettie Campbell.....	Aug. 28, 1894	288
do.....	Elizabeth Clark.....	June 14, 1896	288
do.....	James Forbes.....	June 15, 1896	348
do.....	Anna D-Long.....	Mar. 10, 1894	252
do.....	Ettie O'Flanigan.....	Dec. 1, 1892	252
do.....	Margaret Hazlett.....	Nov. 27, 1893	300
do.....	Inez Tolema.....	June 15, 1894	276
do.....	Emma Bowen.....	Feb. 10, 1895	252
do.....	Barbara Shephard.....	Aug. 3, 1894	268
do.....	John J. Buscher.....	May 17, 1897	336
do.....	Catherine Walker.....	Jan. 10, 1896	288
do.....	Elizabeth E. Owen.....	Jan. 9, 1897	276
do.....	Elizabeth Herbert.....	Dec. 27, 1895	240
do.....	G. E. Clerk.....	Nov. 26, 1897	360
do.....	Bertha Seager.....	Dec. 1, 1897	276
do.....	Margaret Chalmers.....	Dec. 1, 1897	276
do.....	Bertha Stuart.....	Dec. 1, 1897	276
do.....	Elizabeth O'Flanigan.....	Dec. 1, 1897	276
do.....	Helen M. Collins.....	Jan. 9, 1896	252
Special attendant.....	John F. Duggan.....	Mar. 14, 1896	372
do.....	Fred H. De Long.....	April 29, 1896	372
do.....	William F. Creeman.....	Feb. 17, 1894	372
do.....	Alfred E. Shaw.....	June 4, 1891	408
do.....	Quincy A. Selboldt.....	June 25, 1896	420
do.....	Rose J. Hoak.....	Mar. 30, 1890	360
do.....	Joseph Cantillon.....	Sept. 2, 1892	420
do.....	Stewart Carroll.....	May 1, 1897	360
Attendant.....	William G. Avery.....	Dec. 1, 1897	336
do.....	Nora Childs.....	Dec. 23, 1895	216
do.....	Della Higginbottom.....	Feb. 8, 1896	216
do.....	Margaret Agnew.....	Mar. 1, 1896	264
do.....	Michael W. McDonald.....	Nov. 6, 1893	348
do.....	Orion L. Murrell.....	April 8, 1895	336
do.....	Margaret Kelly.....	Dec. 19, 1896	192
do.....	Alice G. Valentine.....	Dec. 28, 1896	192
do.....	Mary McQuay.....	July 8, 1891	312
do.....	Mary C. Daley.....	Jan. 16, 1894	360
do.....	Mary McReedie.....	June 3, 1895	216
do.....	Grace C. Le Valley.....	Mar. 24, 1897	168
do.....	Flora A. Morrill.....	May 5, 1896	264
do.....	Agnes McDonald.....	Mar. 26, 1896	264
do.....	Rose Delp.....	Sept. 16, 1895	216
do.....	Flora I. Tinkham.....	Oct. 1, 1896	264
do.....	Agnes Bourke.....	June 20, 1896	264

State Hospital, Buffalo—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Mary Cross.....	Aug. 10, 1885	\$216
do.....	Emma Demell.....	April 8, 1895	216
do.....	Laura L. Warren.....	Mar. 21, 1893	216
do.....	Donna Cuttiss.....	June 24, 1896	204
do.....	Sara A. Axford.....	Aug. 24, 1896	192
do.....	Herbert L. Babcock.....	Sept. 22, 1896	264
do.....	Walter F. Leland.....	July 25, 1890	372
do.....	Daniel W. Keating.....	April 22, 1895	386
do.....	William H. Mundy.....	June 30, 1891	348
do.....	William Murphy.....	May 7, 1894	348
do.....	Stephen C. Hogan.....	June 1, 1894	324
do.....	Luella Kenyon.....	July 11, 1896	192
do.....	Fred W. Carter.....	Dec. 6, 1896	264
do.....	William T. Scofield.....	Dec. 10, 1896	264
do.....	Thomas Gordon.....	Nov. 10, 1895	312
do.....	William J. Galvin.....	Aug. 5, 1895	300
do.....	Otto Schuette.....	May 22, 1895	300
do.....	Jennie Galvin.....	April 18, 1895	216
do.....	Maggie Nickerson.....	Mar. 11, 1896	204
do.....	Mary Clifford.....	Jan. 1, 1891	216
do.....	Linda Schlueman.....	Oct. 3, 1896	192
do.....	Emily Dalton.....	April 9, 1892	216
do.....	Mrs. May Mahoney.....	July 15, 1896	192
do.....	Mrs. Peter Duremeyer.....	Aug. 15, 1896	192
do.....	Flora Siggs.....	Dec. 1, 1891	216
do.....	Mary Fettick.....	June 29, 1894	216
do.....	Caroline Carlson.....	June 15, 1896	204
do.....	Margaret Farrell.....	April 28, 1895	216
do.....	Nellie Hulpian.....	April 1, 1894	212
do.....	Rosa Freeman.....	June 1, 1892	196
do.....	Kate McCrary.....	Sept. 9, 1895	216
do.....	Lizzie Little.....	July 23, 1895	216
do.....	Agnes McDonough.....	Dec. 6, 1896	192
do.....	Nellie Brennan.....	Jan. 1, 1896	216
do.....	Anna Loug.....	May 8, 1896	204
do.....	Mrs. L. F. Bridgeman.....	Mar. 1, 1896	204
do.....	Katie Madden.....	Mar. 10, 1896	204
do.....	Mary Molyneaux.....	Jan. 1, 1896	204
do.....	James Jones.....	Mar. 5, 1896	264
do.....	Frank W. Chisholm.....	Aug. 6, 1896	264
do.....	Peter W. Voght.....	Jan. 9, 1895	300
do.....	William Carr.....	June 8, 1895	348
do.....	W. E. Chapman.....	June 3, 1895	336
do.....	James A. Vantine.....	Mar. 23, 1896	288
do.....	Elmer C. Taft.....	Dec. 26, 1895	288
do.....	Addison O. Colton.....	Dec. 4, 1895	300
do.....	Robert A. Childs.....	Dec. 23, 1895	372
do.....	Edward H. Clark.....	May 12, 1895	300
do.....	John M. Griffiths.....	Aug. 5, 1896	264
do.....	Eustace P. Lenky.....	Feb. 25, 1896	276
do.....	William Townsend.....	May 14, 1896	276
do.....	John C. Kenyon.....	June 11, 1896	304
do.....	Belinda Patchell.....	April 13, 1896	206
do.....	Ella A. Trout.....	Oct. 14, 1896	192
do.....	Grace Aldrich.....	Nov. 18, 1896	192
do.....	Blaiche M. Griffiths.....	July 22, 1896	180
do.....	Frances C. Bailey.....	Dec. 9, 1896	192
do.....	Inez Klingensmith.....	Dec. 31, 1895	240
do.....	Martha Bachmann.....	Aug. 31, 1897	168
do.....	Margaret H. Boyle.....	July 14, 1897	180
do.....	Marie J. Cowan.....	July 3, 1897	180
do.....	Lizzie A. Finnane.....	July 6, 1897	240
do.....	Louise E. George.....	Oct. 6, 1897	168
do.....	Florence M. Gray.....	July 20, 1897	168
do.....	Ethel L. Greaves.....	July 26, 1897	168
do.....	Mary A. Harrington.....	Nov. 2, 1897	168
do.....	Lily Healy.....	Sept. 27, 1897	168
do.....	Mabel James.....	Nov. 6, 1897	168
do.....	Clara L. Kelaey.....	May 1, 1897	180
do.....	Helen Outlaw.....	Mar. 18, 1897	180
do.....	Ella Parson.....	June 5, 1897	192
do.....	Elizabeth Silvernail.....	Nov. 1, 1897	168

FIFTEENTH REPORT OF THE

State Hospital, Buffalo—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant	Jemima Strachan	Nov. 1, 1897	\$168
do	Ellen Tubridy	June 21, 1897	180
do	Rucoe G. Buso	June 4, 1897	240
do	Fritz Buchen	Oct. 2, 1897	240
do	Freeman Deuel	April 1, 1897	252
do	John D. Finnane	Nov. 8, 1897	240
do	Joseph M. Gaffney	Jan. 13, 1897	212
do	William J. Graves	Aug. 27, 1897	240
do	George D. Lodi	April 4, 1897	252
do	Glenn Mayo	Sept. 7, 1897	240
do	Matthew McVea	Aug. 11, 1897	240
do	Milton E. Patridge	Oct. 14, 1897	240
do	John F. Roynton	Aug. 2, 1897	240
do	John J. Price	July 11, 1897	240
do	Albert V. Simpson	Feb. 4, 1897	252
do	George Vandeburgart	June 11, 1897	252
do	Raymond P. Webb	Nov. 15, 1897	240
do	Ella B. Whitwell	Nov. 1, 1897	168
do	Anna E. Bacon	Nov. 19, 1897	168
do	Wilhelmina Ross	Nov. 19, 1897	168
do	William Ormsby	Nov. 27, 1897	240
do	William A. Dersay	Nov. 29, 1897	240
do	Veronica O'Neill	Nov. 29, 1897	168
do	Walter N. Russell	Nov. 30, 1897	240
do	George L. Davis	Nov. 30, 1897	240
do	John O'Leary	Nov. 30, 1897	240
do	Lottie J. Preas	Nov. 30, 1897	168
do	Joseph H. Bilton	Nov. 30, 1897	240
do	Patrick J. Sherlock	Dec. 1, 1897	240
do	Andrew B. Huff	Dec. 1, 1897	240
do	Harry E. Ockerman	Dec. 1, 1897	240
do	Rosetta Eldridge	Dec. 1, 1897	168
do	William J. Armstrong	Dec. 1, 1897	240
do	Robert P. Higginbotham	Dec. 1, 1897	240
do	Edward Henderson	Dec. 1, 1897	240
do	Charles W. Brown	Dec. 1, 1897	240
do	Ernst Harris	Dec. 3, 1897	240
do	Pearl Barnes	Dec. 3, 1897	168
do	Ella E. Dill	Dec. 3, 1897	168
do	Helen M. English	Dec. 3, 1897	168
do	Walter Flewell	Dec. 4, 1897	240
do	Reuben Jobes	Dec. 4, 1897	240
do	Mary Helms	Dec. 4, 1897	168
do	John J. McDonough	Dec. 4, 1897	240
do	John K. Flaherty	Dec. 4, 1897	240
do	Josie Larkin	Dec. 6, 1897	168
do	Jessie M. Watson	Dec. 6, 1897	168
do	Andrew O'Grady	Dec. 6, 1897	240
do	Hanna L. Sullivan	Dec. 7, 1897	168
do	Charles H. McCollum	Dec. 7, 1897	240
do	H. Oimstead	Dec. 8, 1897	240
do	George S. Benham	Dec. 8, 1897	240
do	Kittie T. Campbell	Dec. 8, 1897	168
do	Clara M. Otter	Dec. 9, 1897	168
do	Mary E. Eccles	Dec. 9, 1897	168
do	Othilia C. Schreiber	Dec. 10, 1897	168
do	Julia I. Greenwood	Dec. 11, 1897	168
do	Annie Howe	Dec. 11, 1897	168
do	Margaret Hennessy	Dec. 11, 1897	168
do	Eleanor McNea	Dec. 11, 1897	168
do	Ella Supor	Dec. 13, 1897	168
do	Clara F. Packard	Dec. 13, 1897	168
do	Maud Barnes	Dec. 13, 1897	168
do	Harriett M. Eccles	Dec. 14, 1897	168
do	Minta Steiber	Dec. 18, 1897	168
do	Delia Finnegan (née Kinney)	Mar. 30, 1896	240
do	Emma Flynn	Dec. 1, 1897	168
do	Maria J. Cummings	Nov. 4, 1897	168
do	Almira Maxwell	Nov. 1, 1897	168
do	Alice Greaves	Dec. 1, 1897	168

Collins Farm, State Homeopathic Hospital.

Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Manager	William T. Helnuth, M. D.	1895	None
do	Fred J. Blackmon	1895	None
do	Asa S. Couch, M. D.	1895	None
do	Edward H. Wolcott	1896	None
do	George W. Seymour, M. D.	1896	None
do	Francis D. Ormes, M. D. .	1896	None
do	Sidney F. Wilcox, M. D. .	1896	None

Class I.

Attorney	L. F. Stearns	Sept. 27, 1897	\$1,200
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Class III.

Head Farmer.....	G. R. Blackmon.....	June 1, 1897	540
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State Hospital, Matteawan.

Class I.

Steward	James F. Rowell	Mar. 1, 1889	1,700
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Class II.

Medical superintendent	Henry E. Allison, M. D.	July 1, 1889	4,800
First Assistant Physician	R. B. Lamb, M. D.	April 1, 1893	2,100
do	E. J. Spatling, M. D.	Mar. 16, 1895	1,600
Junior do	Francis M. Furlong, M. D. .	Nov. 17, 1897	900
Medical Intern	Walter M. Clark, M. D.	Mar. 15, 1897	600
Apothecary	H. E. Evetett	Feb. 1, 1893	520
Bookkeeper	William B. Farrington	Dec. 16, 1897	600
Stenographer.....	Mary K. M. Lynch	Oct. 10, 1892	520
Storekeeper	George H. Cooper	Sept. 19, 1894	368
Assistant Electrical Engineer...	William H. McDowell	July 9, 1896	720
Steam Engineer	James A. Mont Ross	Nov. 26, 1896	1,208

Class III.

Fireman	Frank Loughran	April 20, 1896	270
do	Patrick J. Hannon	Nov. 29, 1897	486
do	Michael J. Halligan	Jan. 1, 1897	420
do	Daniel J. Lucy	July 16, 1895	360
Cook	John B. Hedgert	July 16, 1895	504
do	Theodore A. Davis	Sept. 25, 1896	600
Officers' Cook	Mary A. O'Toole	Mar. 20, 1896	228
Steam Fitter	Frederick Schierding	May 29, 1889	480
Baker	Jarvis Balght	Oct. 1, 1895	504
Farmer	James Hancock	Sept. 10, 1884	600
Supervisor	William H. Sambells	Aug. 11, 1889	540
Night Watch	John J. Walsh	Nov. 4, 1896	564
Carpenter	Richard E. Ryan	Aug. 21, 1893	540
do	David Morris	Nov. 17, 1884	\$2 75 per day
Laundryman	Patrick Russell	Mar. 1, 1897	\$3 00
Shoemaker	Samuel G. Livingston	Aug. 7, 1897	3 6
Mason	Michael Taylor	June 7, 1882	\$3 00 per day
Painter	Peter McAvoy	Aug. 4, 1897	\$4 80
Painter, Temporary	James A. Murray	Aug. 31, 1897	420
do	Abraham W. Silver	Nov. 22, 1897	420
Special Attendant	Frederick W. Rotherby, Jr.	Dec. 1, 1897	144
Attendant	James E. Brown	Sept. 26, 1896	288
do	John Bullman, 2d.	May 26, 1894	276
do	Stephen Bohanan	Feb. 10, 1896	276
do	Howell H. Barnum	Aug. 17, 1896	276
do	James Coyle	Jan. 14, 1888	420
do	William H. Chardavoyne...	Oct. 28, 1895	268

State Hospital, Matteawan—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Charles Collins	July 12, 1895	\$312
do	John Conoby	June 30, 1893	300
do	Daniel D. Conway	July 22, 1894	300
do	Jennie E. Crawford	Dec. 21, 1894	294
do	Thomas Crawford	June 27, 1895	296
do	George W. Cullen	Aug. 19, 1895	300
do	Bernard J. Cumpion	April 5, 1896	260
do	Michael J. Cumpion	May 21, 1896	276
do	William Downs	Oct. 30, 1895	264
do	James C. Farrell	Sept. 25, 1892	240
do	Patrick Flanagan	June 23, 1890	336
do	John T. Flynn	Oct. 3, 1893	300
do	Patrick Fitzsimmons	May 18, 1896	176
do	Patrick Feely	May 18, 1896	276
do	Patrick Gilligan	Sept. 30, 1896	264
do	John Hanlon	May 17, 1893	370
do	Michael Hanlon	June 14, 1895	298
do	Thomas Hanlon	June 14, 1895	298
do	Patrick Hassett	Mar. 27, 1896	264
do	Amanda Hess	Aug. 30, 1894	300
do	Harriet Hustis	May 29, 1895	294
do	Michael J. Hyland	Nov. 20, 1893	324
do	Jacob Ireland	April 4, 1895	288
do	William F. Jago	Sept. 1, 1891	324
do	Thomas Kenna	Aug. 14, 1891	324
do	James H. Kelly	May 8, 1893	300
do	Thomas Kelly	Aug. 3, 1892	234
do	William Kelly	May 1, 1886	406
do	Patrick Ward	May 2, 1891	360
do	Cornelius Ward	Dec. 18, 1896	264
do	Uriah Wallace	April 18, 1896	276
do	William H. Wallace	Sept. 19, 1896	264
do	J. W. Wallace	Oct. 6, 1896	264
do	Anthony Lamoree	April 23, 1895	288
do	Catherine Leith	Jan. 17, 1895	228
do	William Leith	Jan. 29, 1894	300
do	Charles J. Lucy	Jan. 31, 1896	300
do	James C. McDonald	April 15, 1895	360
do	Thomas McDaid	Mar. 16, 1896	370
do	James R. McEroy	July 3, 1896	264
do	James McGaughrin	May 8, 1895	298
do	Charles Mackin	May 28, 1893	\$1.06 per day
do	Michael P. Mannix	Nov. 14, 1892	
do	Thomas Mullin	Aug. 12, 1894	288
do	Thomas Mullin, Jr.	July 7, 1894	300
do	Edward F. Murphy	July 11, 1893	324
do	John J. Murphy	June 2, 1894	276
do	John A. Myer	Oct. 10, 1895	296
do	Edward A. Mooney	Mar. 9, 1896	276
do	John McKinley	Nov. 11, 1896	261
do	William E. Nolan	Nov. 23, 1891	326
do	Thomas O'Brien	April 28, 1896	276
do	Bartie Ringwood	Jan. 3, 1896	276
do	Charles Russell	Dec. 20, 1891	376
do	William F. Russell	Dec. 5, 1893	300
do	Fraunce P. Scofield	Sept. 11, 1895	294
do	George M. Simpson	June 20, 1895	276
do	Matthew Sloan	Sept. 21, 1895	288
do	John J. Smith	Aug. 17, 1892	312
do	James Scallan	Feb. 15, 1894	276
do	Joseph Tyndell	July 8, 1894	288
do	John J. Taylor	Oct. 1, 1896	264
do	Michael Vaughan	Feb. 10, 1896	264
do	John Carolan	April 2, 1897	240
do	John Doyle	Sept. 20, 1897	240
do	Bernard Friel	April 1, 1897	264
do	William Hallas	Oct. 11, 1897	260
do	Julius Huber	Nov. 4, 1897	260
do	James Kelly	Oct. 15, 1897	276
do	Daniel T. McGinn	Mar. 28, 1897	264
do	Patrick Mackin	Oct. 8, 1897	260

State Hospital, Matteawan—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Patrick McNally.....	April 13, 1897	\$264
do	James F. Maher.....	May 20, 1892	336
do	Michael O'Neill.....	Oct. 22, 1897	216
do	Fred Rothery.....	Aug. 4, 1897	240
do	Ralph Rotnery.....	April 13, 1897	264
do	John W. Walsh.....	Sept. 25, 1897	240
do	Patrick M. Walsh.....	Aug. 11, 1897	240
do	Alvah P. Yates.....	April 22, 1897	324
do	Mary Kilduff.....	Oct. 25, 1897	180

State Homeopathic Hospital, Middletown.

Unclassified Service.

Manager.....	Cornelius Macardell.....	Mar. 21, 1893	None
do	J. McE. Wetmore.....	Mar. 21, 1893	None
do	Henry L. Siote.....	Mar. 21, 1893	None
do	Grinnell Burt.....	April 21, 1892	None
do	J. J. S. McCroskery.....	Mar. 19, 1892	None
do	Uzal T. Hayes.....	Mar. 19, 1892	None
do	Frederick W. Devos.....	Jan. 22, 1896	None
do	John W. Slanson.....	Dec. 8, 1896	None
do	Edward Tompkins.....	Oct. 25, 1895	None
do	W. K. Stansbury.....	Mar. 13, 1895	None
do	James B. Carson.....	Oct. 25, 1895	None
do	W. W. Snow.....		None

Class I.

Treasurer.....	C. Macardell.....	Jan. 1, 1894	\$1,500
Steward.....	Henry J. Leonard.....	June 1, 1896	1,600
Attorney.....	John B. Swezey.....	Oct. 1, 1897	1,200

Class II.

Medical Superintendent.....	Selden H. Talcott, M. D.....	April 24, 1877	4,500
First Assistant Physician.....	Charles S. Kinney, M. D.....	May 1, 1897	2,000
do do do	Daniel H. Arthur, M. D.....	May 1, 1897	1,500
do do do	Maurice C. Ashley, M. D.....	April 1, 1891	1,500
Junior do do	Arthur P. Powelson, M. D.....	April 1, 1897	900
do do do	David E. Francisco, M. D.....	Oct. 1, 1897	900
Woman Physician.....	Clara Barus, M. D.....	Mar. 1, 1893	1,300
Medical Internes.....	Clarence A. Potter, M. D.....	June 1, 1897	600
do do	Edward A. Everett, M. D.....	Dec. 8, 1897	600
Apothecary.....	Arthur H. Garrison.....	June 1, 1896	624
Bookkeeper.....	Seth R. Leonard.....	Feb. 4, 1893	864
Accountant.....	Charles S. McKnight.....	Nov. 14, 1896	744
Voucher and Treasury Clerk.....	Wesley D. Robinson.....	April 1, 1896	504
Stenographer.....	Charles H. Coon.....	Nov. 1, 1896	624
do	Elizabeth F. Moran.....	Aug. 1, 1893	600
Matron.....	Lucy T. Judson.....	June 1, 1896	672
Storekeeper.....	Charles S. Warner.....	Oct. 1, 1885	600
Chief Engineer.....	Cesar F. Catillaz.....	Sept. 1, 1895	1,200
Assistant Engineer.....	Charles L. Green.....	Aug. 1, 1899	780
do do	Alfred Johnson.....	Dec. 27, 1897	480
Electrical do	Thomas J. Morris.....	April 1, 1891	900
Assistant do	John D. Hallock.....	Feb. 11, 1897	720

Class III.

Painter.....	Daniel Moran.....	Mar. 1, 1893	600
Laundry Overseer.....	David D. Arnolds.....	Nov. 1, 1893	600
Baker.....	Adolph Schilling.....	Sept. 1, 1896	720
do	Albert C. Welle.....	Oct. 1, 1895	600
do Assistant.....	William Sannwald.....	Aug. 1, 1897	420
Meat Cutter.....	Alonzo Stearns.....	Mar. 1, 1894	480
Housekeeper.....	Ella Morrison.....	April 24, 1896	324

State Homeopathic Hospital, Middletown—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Carpenter	Ezra Coddington	Sept. 1, 1878	\$900
Steam fitter	Irving W. Davey	June 1, 1897	720
Chef	Theo. Faller	Nov. 1, 1897	900
Head Cook	Lineard Heeg	Nov. 1, 1897	400
Cook	Kate Burns	Dec. 1, 1890	300
do	Jennie A. Hulse	June 1, 1895	300
do	Herman Tice	Feb. 1, 1892	300
do	Rodger H. Mullen	July 1, 1897	300
Head Laundress	Maggie Parker	Dec. 1, 1894	300
Fireman	John Irwin	Feb. 1, 1896	400
do	Charles D. Crawford	Oct. 1, 1893	480
do	Jonas M. Sherman	Feb. 1, 1896	480
do	Fred A. Tears	Aug. 1, 1897	480
do	Jacob G. Custer	Nov. 8, 1897	480
Tailor	Franz J. Speifechter	Feb. 1, 1894	528
do	George T. Ball	June 1, 1897	480
Farmer	Theo. Burhans	June 1, 1895	564
Gardener	Owen McGuire	Aug. 1, 1892	480
Florist	William Gray	April 1, 1894	540
Policeman	Samuel H. Sengstacken	Jan. 1, 1896	420
Watchman	John M. Young	Feb. 1, 1889	420
do	Patrick Barrett	Feb. 1, 1894	420
do	Lester T. Loder	Oct. 1, 1896	420
Barber	Anton Genegel	Jan. 1, 1896	408
do	Adam Shafer	June 22, 1897	360
Chief Supervisor	Wilber E. Cook	April 1, 1878	600
Supervisor	Lola Cook	Oct. 20, 1877	480
do	Drusilla W. Comstock	Jan. 5, 1881	480
do	Irene Benjamin	May 10, 1877	480
Nurse	Annie Nearu	Dec. 28, 1894	336
do	Jennie Abbott	Oct. 1, 1889	288
do	Maggie Sheffers	May 29, 1893	252
do	Louella Davis	Mar. 26, 1894	252
do	Katie Mahoney	Sept. 1, 1892	252
do	Mary Hammond	July 9, 1894	252
do	Frances Schwab	Oct. 1, 1886	236
do	Mary L. Dunlap	Oct. 5, 1887	236
do	Kate McShane	May 1, 1891	268
do	Kate Caddigan	Feb. 1, 1894	252
do	Isabelle E. Devore	Nov. 25, 1893	268
do	Ella McNamee	Aug. 10, 1892	288
do	Delia A. Mchen	Oct. 12, 1893	252
do	Louise Humiston	Oct. 1, 1894	384
do	Olive A. Carpenter	July 1, 1892	336
do	Annie Redding	May 9, 1889	236
do	Gussie Allison	Mar. 5, 1893	264
do	Agnes Gray	Aug. 1, 1895	240
do	Ella Carson	Nov. 13, 1894	276
do	Mary Cleary	Nov. 1, 1892	324
do	Alice Nolan	June 13, 1894	262
do	Mabel I. Deuel	Aug. 1, 1890	262
do	Mary A. Hughes	Aug. 1, 1894	276
do	Mary Redding	Jan. 1, 1895	268
do	Anna Allison	Aug. 21, 1892	300
do	Kate Calliban	May 30, 1894	252
do	Nellie F. Parlin	Aug. 14, 1891	274
do	Martha Morrison	July 21, 1890	268
do	Clarence L. Dunlap	Sept. 28, 1894	348
do	Lawrence Rourke	Mar. 17, 1892	288
do	Henry J. Tolhurst	Aug. 1, 1894	300
do	George B. Osborne	Jan. 1, 1895	336
do	William Haley	June 1, 1889	408
do	Arthur Kilbride	July 28, 1895	386
do	William Shambler	Jan. 1, 1893	348
do	George W. Redican	May 1, 1894	300
do	Daniel Sullivan	May 1, 1887	396
do	Augustus C. Parlin	Aug. 1, 1889	396
do	George W. Nolan	Nov. 16, 1891	384
do	Augustus Freat	Aug. 28, 1891	372
do	William Hemingway	Jan. 1, 1893	348
do	George Lozier	April 1, 1893	348

State Homeopathic Hospital, Middletown—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Nurse	Edward J. Butts	April 1, 1891	\$312
do	John Fuess	Sept. 1, 1897	348
do	Daniel Lahey	Feb. 1, 1893	360
Special Attendant	Cornellina S. Terwilliger	Dec. 1, 1884	420
do	Michael T. Mallou	Nov. 1, 1889	420
do	Lemuel F. Waddell	June 1, 1889	420
do	Harriet C. Munger	Dec. 1, 1896	312
do	Joseph Forsythe	Dec. 1, 1897	360
do	Sabina Cleary	Feb. 1, 1892	360
do	Lewis Gardner	Jan. 1, 1891	420
do	Sinclair Stevenson	Dec. 1, 1891	360
Attendant	Lena Rumsey	Oct. 1, 1897	168
do	Edith Robinson	Nov. 1, 1895	216
do	Jennie M. Dun Van	April 1, 1881	300
do	Alce Holbert	April 1, 1897	180
do	Genevieve Maloney	Oct. 1, 1895	216
do	Bell McLennan	Oct. 4, 1897	168
do	Dora B. Owen	Sept. 13, 1897	180
do	Sara Russell	Jan. 1, 1896	228
do	Julia Farmer	April 1, 1894	276
do	Margaret O'Hara	Nov. 1, 1893	216
do	Bertha Van Rensselaer	Feb. 1, 1895	216
do	Margaret Donovan	Feb. 2, 1897	180
do	Annie Lucey	Oct. 1, 1895	216
do	Maggie Langan	May 1, 1894	216
do	Annie E. Connell	Sept. 1, 1896	192
do	Kate Donovan	Jan. 1, 1891	312
do	Eleanor Rumsey	Mar. 2, 1897	180
do	Sarah S. Hurrocks	April 1, 1897	180
do	Katherine Rudolph	May 1, 1896	204
do	Ella Myers	Oct. 20, 1897	216
do	Annie Hiedrich	May 1, 1896	204
do	Margaret Lawson	June 1, 1896	216
do	Angie Calliban	June 1, 1897	180
do	Elizabeth McMorrow	April 1, 1896	204
do	Anna Rudolph	Mar. 1, 1896	204
do	Jennie Spring	Aug. 1, 1895	216
do	Kate Leonard	Mar. 1, 1896	216
do	Maggie Lucey	May 1, 1896	204
do	Alice Sweeney	Dec. 8, 1897	168
do	Richa L. Tacey	Oct. 1, 1896	192
do	Barbara C. Young	June 1, 1896	204
do	Mary A. Fleasler	Oct. 6, 1897	168
do	Kittie L. Fagan	Sept. 1, 1895	228
do	Helen Gray	Aug. 1, 1896	192
do	Nellie Lamoreaux	July 26, 1897	168
do	Lizzie Ayres	Oct. 1, 1897	168
do	Maggie Morrison	Feb. 15, 1897	180
do	Sarah G. Bartholomew	May 27, 1897	192
do	Elizabeth J. McGlave	Aug. 1, 1896	204
do	May Carson	Sept. 10, 1897	168
do	Agnes Head	Dec. 1, 1896	192
do	Minna Belle Haslam	June 8, 1897	180
do	Cora A. Edmunds	Oct. 1, 1896	204
do	Minnie E. Allison	Feb. 1, 1896	204
do	Anna Straney	Dec. 1, 1897	168
do	Fannie M. Betts	Dec. 20, 1897	168
do	Dauril Sears	Oct. 1, 1895	288
do	Burton Goff	May 1, 1896	276
do	Mary Russell	Mar. 1, 1895	288
do	James Russell	Nov. 1, 1892	288
do	Ezra C. Ostrhout	July 1, 1896	276
do	William J. Merritt	Dec. 1, 1896	264
do	Wilson Crane	Sept. 18, 1897	240
do	Daniel Callahan	Oct. 1, 1895	288
do	George Stinnard	Sept. 1, 1895	288
do	Robert Daniels	Dec. 1, 1894	288
do	John McClellan	Sept. 1, 1896	276
do	Marquia L. Goff	Feb. 1, 1895	288
do	George Saffine	April 1, 1889	288
do	Edward T. Relyea	Dec. 17, 1897	240

State Homeopathic Hospital, Middletown—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Frank L. Hoffman	June 1, 1895	\$288
do	Daniel V. Cross	Sept. 1, 1897	240
do	Fred Dutcher	Sept. 1, 1896	264
do	Sherwood Myers	Aug. 1, 1896	276
do	Tilleran Terwilliger	Dec. 1, 1896	264
do	Lynn L. Borst	Dec. 1, 1896	264
do	George W. Castle	April 1, 1897	252
do	William E. McVeigh	June 1, 1890	288
do	Byron Bunting	June 1, 1896	264
do	Frank Dutcher	Jan. 14, 1897	252
do	Clarence Morton	June 19, 1897	252
do	William D. Blanchard	July 8, 1897	240
do	Wilfred Webster	Dec. 22, 1896	264
do	Albert C. Phelps	Dec. 6, 1897	240
do	Hazel M. Webster	Feb. 1, 1897	252
do	John Campbell	June 1, 1894	268
do	Nelson D. Rumsey	April 1, 1896	268
do	Samuel Mullen	Dec. 2, 1897	240
do	Alfred Stuart	May 1, 1893	268
do	James S. Porter	Oct. 1, 1897	240
do	John Geir	Nov. 8, 1897	240
do	William Flynn	May 15, 1896	288
do	Elting Cuddeback	Sept. 1, 1893	248
do	John Remington	Nov. 1, 1896	264
do	Linn Hemingway	Nov. 13, 1896	264
do	John F. Leonard	May 9, 1895	288
do	Frank H. Coaner	Aug. 1, 1896	264
do	Dokson Jones	Oct. 1, 1896	264
do	Frank P. Pratt	Oct. 1, 1897	240
do	Charles N. Frear	Sept. 1, 1895	272
do	Hugh C. Compton	Feb. 1, 1896	276
do	Mortimer B. Austin	Oct. 4, 1894	300
do	Peter B. Monell	Nov. 1, 1897	252
do	John Leonard	May 1, 1895	268
do	Thomas H. Flood	May 1, 1891	268
do	Alfred B. Ronk	May 15, 1897	252
do	Chris Genegel	Oct. 1, 1897	240
do	John J. Lawler	Nov. 1, 1897	240
do	James F. Hook	Dec. 22, 1897	240
do	Floyd W. Strong	Oct. 6, 1897	240
do	John J. Greeve	Feb. 1, 1896	268
do	Charles Van Wagner	Sept. 6, 1893	288
do	Frank Carpenter	Dec. 15, 1897	240
do	James H. Williamson	Aug. 5, 1897	252
do	Louise C. Barrell	Dec. 1, 1894	216
do	John Slidders	Nov. 1, 1892	268
do	Curtis Constable	Dec. 1, 1895	268
do	Le Grand W. Botsford	Oct. 1, 1897	240
do	Minnie Maloney	Feb. 1, 1896	264
do	Mary E. Day	June 1, 1892	216
do	Charles Norris	April 1, 1885	348
do	Susie Cashman	Jan. 1, 1896	186

Manhattan State Hospital, New York City.

GENERAL ADMINISTRATION DEPARTMENT, WARD'S ISLAND.

Unclassified Service.

Manager	Henry E. Howland	Aug. 4, 1896	None
do	George E. Dodge	Aug. 4, 1896	None
do	John McAnerney	Aug. 4, 1896	None
do	H. H. Hollister	Aug. 4, 1896	None
do	Isaac D. Seligman	Aug. 4, 1896	None
do	Miss Alice Pine	Aug. 4, 1896	None
do	Mrs. Eleanor Kinnicut	Aug. 4, 1896	None

Manhattan State Hospital, New York City—(Continued).

Class I.

Position.	NAME.	Date of entrance into position.	Compensation.
Treasurer	W. H. Kimball	Mar. 1, 1896	\$2,500
Attorney	George C. Austin	Sept. 27, 1897	4,000
Steward	H. E. Cole	June 1, 1896	2,500

Class II.

General Superintendent	A. E. Macdonald	April 1, 1870	5,000
Bookkeeper	James Sinclair	April 1, 1896	840
Accountant	William L. Godney	Sept. 1, 1896	720
do	James G. McAllan	Nov. 1, 1896	720
Clerk	Robert J. Pye	Oct. 1, 1891	920
Stenographer	G. T. McGilivray	Nov. 1, 1896	624
do	Allan J. Brown	Nov. 1, 1896	624
do	Van R. Smith	Nov. 1, 1896	624
do	J. S. Finnerty	May 1, 1896	624
Overseer	John Shanahan	April 1, 1889	850
Superintendent of Grounds	John Dow	July 1, 1888	1,020
Engineer	Charles Stewart	Feb. 1, 1896	730

Class III.

Special Attendant	Mary Donohue	Sept. 1, 1875	312
do	Annie McShea	May 2, 1892	300
Deckman	James W. O'Reilly	July 1, 1896	720
Captain	George H. Hull	Feb. 1, 1896	700
Page Boy	John J. Mulligan	April 1, 1896	180
do	Harry Weaver	Jan. 1, 1894	180
do	Francis L. Beach	April 13, 1897	168
do	Patrick McGovern	Sept. 1, 1892	180
Chef	James E. Byrne	Feb. 1, 1889	900
Attendant and Porter	John McCarthy	Dec. 1, 1894	264
Policeman	William McCann	June 1, 1896	420
do	Thomas Martin	June 1, 1893	420
do	Frank E. Weldon	April 1, 1896	420
do	John K. Eckert	June 1, 1893	420
do	Patrick Ryan, No. 2	April 1, 1896	420
do	Samuel W. Green	Aug. 1, 1897	450
do	Charles McGuire	June 22, 1897	420

Ward's Island, Female Department.

Class I.

Chaplain	Raphael Gellinas	July 1, 1895	450
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Class II.

Medical Superintendent	Emmet C. Dent	Jan. 27, 1887	3,000
Assistant Physician	Reuben F. Mouette	Dec. 9, 1893	1,200
do	William B. Mosley	Jan. 1, 1896	1,200
do	Constantine Bjeirring	Jan. 27, 1896	1,200
do	Hunter A. Bond	Jan. 27, 1896	1,200
do	Arthur C. Delacroix	Nov. 3, 1894	1,260
do	Horatio C. Gibson	June 29, 1892	1,200
do	E. H. Williams	Nov. 18, 1897	1,200
Junior Physician	Theo. I. Townsend	Dec. 15, 1896	900
do	Paul A. Phillips	Dec. 16, 1896	1,100
do	Stanley H. MacGillivray	April 1, 1897	900
do	Baron R. Nairn	Mar. 29, 1897	900
do	John M. Keyes	Mar. 3, 1897	900
do	John A. Hill	Mar. 10, 1897	900
do	Anton Heger	April 19, 1897	900
do	Hiram Elliott	Aug. 20, 1897	900
Medical Internes	W. Henry Coe	Dec. 30, 1896	600
do	Erving Holley	Dec. 2, 1897	600

Ward's Island, Female Department—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Stenographer.....	Grace Barrows.....	Jan. 18, 1897	\$480
do.....	Ida A. Johnston.....	Sept. 22, 1897	480
Apothecary.....	John P. Regan.....	May 9, 1891	600
do.....	Joseph Kuntz.....	July 15, 1896	480
Assistant Steward.....	Louis Gillespie.....	June 1, 1896	900
Matron.....	Annie F. Jettley.....	Nov. 3, 1896	600
Storekeeper.....	Thomas Carroll.....	Jan. 1, 1895	480
Dentist.....	Henry G. Russell.....	July 1, 1896	\$10 per visit
Chief Steam Engineer.....	Louis E. Bonnaud.....	July 27, 1896	\$1,200
Assistant Steam Engineer.....	John Brady.....	Jan. 19, 1896	720
do.....	Henry J. Lowe.....	Nov. 5, 1897	720
do.....	Thomas P. Kearns.....	June 4, 1896	600
Electrical Engineer.....	Charles McCarthy.....	Oct. 13, 1890	720

Class III.

Watchman.....	Michael Callahan.....	May 13, 1894	420
do.....	William Rush.....	Mar. 26, 1895	420
do.....	John C. Clancey.....	Dec. 13, 1893	420
do.....	Luke McAviney.....	July 13, 1894	420
do.....	Freix Gaffney.....	June 17, 1895	420
do.....	Pierce Butler.....	July 11, 1898	420
do.....	Lawrence P. Gibbons.....	April 1, 1897	420
Chief Supervisor.....	Leora W. Pollette.....	Oct. 11, 1897	420
Supervisor.....	Lucius C. Smith.....	Dec. 3, 1897	420
do.....	Anne J. Browne.....	Aug. 25, 1895	480
do.....	Eliza Condron.....	Dec. 21, 1893	372
do.....	Mary J. Hayes.....	July 18, 1897	480
do.....	Minnie Holstein.....	Oct. 24, 1893	360
do.....	Eliza Bergin.....	Oct. 5, 1896	372
do.....	Kate McDonald.....	Mar. 1, 1891	480
do.....	Edna Sewry.....	Dec. 21, 1893	372
do.....	Lydia S. Watson.....	Oct. 14, 1888	360
Plumber.....	James P. Hayes.....	June 7, 1896	\$3 50 per day
do.....	Edward G. McDermott.....	Dec. 1, 1897	3 50 per day
Plumber's Helper.....	Thomas Hoffmire.....	Jan. 22, 1897	\$372
Steamfitter.....	Patrick McQuirk.....	Sept. 28, 1896	3 50 per day
Plumber and Steamfitter.....	Timothy Hassett.....	May 13, 1896	\$372
Plumber and Steamfitter's Helper.....	Edward J. Farrell.....	July 19, 1896	312
Carpenter.....	John Burge.....	Oct. 25, 1897	600
do.....	James A. Healy.....	June 21, 1897	3 50 per day
Painter.....	Julius Zumach.....	June 21, 1897	3 50 per day
Policeman.....	George Croome.....	Dec. 14, 1895	\$470
Mason's Helper.....	Frank Lyons.....	July 26, 1897	2 75 per day
Page boy.....	Michael Daly.....	Sept. 7, 1894	\$ 80
do.....	Frank Trabold.....	Mar. 22, 1896	180
do.....	Thomas Philbin.....	June 1, 1896	180
do.....	John J. Pick.....	July 3, 1897	168
do.....	Thomas S. Lennon.....	July 10, 1897	168
do.....	James McCue.....	Mar. 24, 1897	168
Laundry Overseer.....	Irving L. Hotaling.....	Jan. 2, 1897	600
Head Laundress.....	Bridget M. O'Brien.....	April 1, 1896	300
do.....	Susan Greene.....	April 15, 1890	300
do.....	Julia Devine.....	Dec. 24, 1895	300
do.....	Margaret Hogan.....	Oct. 1, 1895	300
do.....	Mary Tamplin.....	April 16, 1896	300
Laundress.....	Sarah McGrath.....	Feb. 15, 1897	180
do.....	Ellen McLoughlin.....	Oct. 1, 1896	180
do.....	Theresa Duffy.....	Sept. 18, 1896	180
do.....	Della Brien.....	July 13, 1897	180
Lineman.....	Thomas F. English.....	April 1, 1897	420
Fireman.....	Thomas Bell.....	Nov. 4, 1896	480
do.....	John T. Murphy.....	Oct. 2, 1897	480
do.....	Thomas Dunn.....	July 28, 1896	480
do.....	Thomas Leahy.....	July 24, 1896	480
do.....	Peter Golden.....	Sept. 23, 1896	480
do.....	Edward Crowe.....	Nov. 25, 1896	480
do.....	Patrick Smith.....	Sept. 21, 1897	480
do.....	John Pickett.....	Nov. 27, 1897	480

Ward's Island, Female Department—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Fireman	Joseph W. Mills	Oct. 22, 1897	\$480
do	Frank P. Gilbert	Nov. 11, 1895	480
do	John Gavin	Oct. 12, 1897	480
do	John Bloom	Nov. 8, 1897	480
do	William Joynt	Nov. 27, 1897	480
do	John McMorrow	Oct. 30, 1897	480
do	William Jordan	Dec. 22, 1897	480
Housekeeper	Margaret Alamango	Sept. 14, 1896	300
do	Mary C. Marvin	Oct. 1, 1897	300
Chef	G. W. Southwell	May 1, 1893	900
Head Cook	William Jones	June 8, 1896	480
do	Fritz Dietrich	Nov. 4, 1896	480
Cook	Denis Foley	Aug. 12, 1895	390
do	Jacob Schwin	July 29, 1896	300
do	Elizabeth Sheridan	Oct. 6, 1896	240
do	John Moore	Aug. 14, 1897	300
do	August Stroeh	Dec. 15, 1896	300
do	Fannie Gavagan	Aug. 25, 1897	240
do	Mary Keilber	April 1, 1893	240
do	Katie Helgenberg	Aug. 1, 1897	240
do	Ellen Sheehy	Aug. 1, 1897	240
Baker	Alexander O'Donnell	July 15, 1896	600
Assistant Baker	Edmund Thams	July 9, 1896	300
do	Patrick Connors	April 24, 1897	240
Meat Cutter	Friederick Weber	Mar. 11, 1896	570
do	Bernard Costello	Sept. 9, 1896	570
do	Chas. McDermott	Feb. 19, 1897	480
Special Attendant	Christian Nelson	Dec. 11, 1894	372
do	Jeremiah McMahon	June 25, 1894	384
do	Mary McGowan	Dec. 4, 1894	312
do	Kathlyn McTeruan	Aug. 17, 1895	312
do	Mary Connolly	July 25, 1895	312
do	Maggie McCabe	Jan. 1, 1895	312
do	Mary Scanton	Oct. 26, 1893	336
do	Bridget Conway	June 25, 1897	300
do	Susan Hunter	Nov. 3, 1894	324
do	Maria O'Flaherty	April 19, 1890	360
do	Louisa Stevens	Nov. 21, 1893	336
do	Hannah Sweeney	Dec. 6, 1894	312
do	Sarah M. Thorpe	June 20, 1895	312
do	Kathleen O'Connell	Nov. 21, 1892	300
do	Mary O. Gorman	Dec. 14, 1895	300
do	Richard Collis	July —, 1891	420
do	John Thompson	July 28, 1897	360
do	Catherine Leonard	Oct. 14, 1896	300
do	Matthew Foresthal	Nov. 11, 1896	360
do	Julia A. Kealy	Nov. 4, 1895	310
do	John J. Foresthal	Dec. 9, 1896	360
do	Annie B. Nesbitt	Oct. 12, 1896	300
do	John Gerrard	Dec. 13, 1897	360
Attendant	Annie Donnelly	April 1, 1896	180
do	Mary A. Farrell	June 1, 1896	180
do	Mary Thornton	Mar. 24, 1896	180
do	Mary Brennan	Oct. 3, 1895	240
do	Anne Keena	Oct. 1, 1895	252
do	Ellen McCabe	Sept. 12, 1896	168
do	Margaret Kelly	July 7, 1896	168
do	Nora O'Connor	May 20, 1896	240
do	Sarah A. Irwin	Oct. 24, 1896	168
do	Katherine J. Friel	Dec. 9, 1896	168
do	Mary Flynn	Oct. 1, 1896	168
do	Ida O'Brien	July 21, 1896	168
do	Annie McSherry	Aug. 19, 1896	168
do	Maggie Crowley	Mar. 10, 1896	180
do	Bridget Finnegan	Mar. 1, 1896	180
do	Margaret Luehan	Sept. 4, 1896	168
do	Katie Flynn	Sept. 14, 1895	180
do	Maud F. Ryan	July 18, 1896	168
do	Catherine Murtha	April 9, 1895	252
do	Mary Sheehan	July 21, 1896	168
do	Margaret Fitzgerald	June 19, 1895	240

Ward's Island, Female Department—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.	Kate Griffin	Mar. 10, 1896	\$189
do	Catherine Sullivan	Aug. 1, 1896	195
do	Maria Scanlon	July 1, 1896	195
do	Aggie McNulty	April 24, 1896	249
do	Annie E. McDonald	Nov. 6, 1896	168
do	Mary J. Crown	Sept. 28, 1896	168
do	Margaret White	Dec. 11, 1895	189
do	Mary McConville	June 24, 1896	240
do	Margaret O'Meara	Aug. 12, 1896	168
do	Ellen Daly	Aug. 25, 1896	168
do	Mary McShea	Mar. 24, 1896	168
do	Julia K. Maher	June 17, 1895	192
do	Nora Slattery	Mar. 17, 1896	192
do	Margaret Broderick	April 10, 1890	228
do	Mary Glynn	Nov. 3, 1896	240
do	Margaret Doorley	July 9, 1895	240
do	Lizzie McGay	May 29, 1894	284
do	Margaret Kelly	Oct. 4, 1887	240
do	Mary Sheridan	Mar. 4, 1896	240
do	Katie Duffy	Oct. 6, 1890	300
do	Roseanna Hannigan	Dec. 3, 1894	284
do	Sarah Wally	Dec. 8, 1876	300
do	Annie McShea	May 3, 1892	288
do	Joanna Turner	Nov. 21, 1889	300
do	Annie Quealy	May 10, 1892	288
do	Katie Tunney	May 14, 1892	252
do	Annie Curran	Nov. 27, 1894	240
do	Mary O'Neill, (No. 2)	June 11, 1895	252
do	Lizzie Nolan	July 30, 1894	240
do	Mary J. McCullough	Sept. 3, 1896	240
do	Maggie O'Neill	April 20, 1894	240
do	Helena Doheny	Dec. 18, 1894	288
do	Kathleen Manly	Oct. 1, 1887	168
do	Mary E. Harte	Mar. 10, 1896	240
do	Mary Horran	June 24, 1896	168
do	Agnes O'Connell	May 20, 1896	240
do	Eleanor R. Buckley	Nov. 17, 1896	240
do	May K. Scanlon	May 20, 1896	180
do	Annie Warnecke	Mar. 17, 1896	180
do	Mary Larkin	Nov. 4, 1896	168
do	Mary A. McInerney	Nov. 6, 1896	168
do	Mary Fitzgibbons	Mar. 24, 1896	180
do	Bridget Keane	Aug. 10, 1896	252
do	Mary Quirk	Mar. 17, 1896	180
do	Catherine Cummins	Oct. 16, 1896	168
do	Margaret Guilfoile	June 6, 1895	192
do	Eliza Burke	Oct. 10, 1895	240
do	Margaret Dignan	Aug. 25, 1896	240
do	Mary Rooney	July 10, 1898	228
do	Annie Rooney	Feb. 5, 1898	300
do	Annie Reddan	Aug. 7, 1893	276
do	Mary Naughton	June 13, 1893	240
do	Mary Manning	July 22, 1895	240
do	Helen J. Smith	Feb. 20, 1895	240
do	Mary A. Duffy	Sept. 6, 1888	312
do	Maggie McShea	May 16, 1893	288
do	Annie Higgins	May 11, 1894	276
do	Mary Hayden	May 15, 1889	312
do	Ellen McCauley	Oct. 1, 1895	284
do	Bridget O'Brien	Jan. 1, 1895	252
do	Almie Hasson	Aug. 30, 1895	284
do	Ellen Naughton	June 12, 1894	276
do	Mary Byrne	June 19, 1896	288
do	Kate Gallagher	April 29, 1890	812
do	Mary O'Hara	Sept. 1, 1893	228
do	Nellie O'Meara	Mar. 26, 1896	264
do	Lizzie McGrann	Sept. 21, 1894	276
do	Maria Gillespie	Aug. 30, 1895	252
do	Bride Curran	Jan. 24, 1895	264
do	Mary A. Laughlin	Sept. 4, 1895	264
do	Margaret Counelly	Feb. 23, 1896	252

NEW YORK CIVIL SERVICE COMMISSION.

1085

Ward's Island, Female Department—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Della Carroll.....	June 28, 1898	\$276
do.....	Mary Rankin.....	June 1, 1898	252
do.....	Annie McGreal.....	Oct. 1, 1895	252
do.....	Winifred Harte.....	Nov. 1, 1895	252
do.....	Sarah Costello.....	Dec. 17, 1895	252
do.....	Jane Maloney.....	Aug. 12, 1890	612
do.....	Bridget McBride.....	July 2, 1892	300
do.....	Mary Keenan.....	Dec. 23, 1895	252
do.....	Hannah Scanlon.....	Aug. 31, 1895	252
do.....	Kate McGuinness.....	Mar. 19, 1895	252
do.....	Nora McCarthy.....	Dec. 13, 1894	252
do.....	Minnie Galvin.....	April 6, 1898	252
do.....	Mary A. Donnelly.....	Aug. 12, 1898	252
do.....	Margaret O'Donoghue.....	Nov. 8, 1892	300
do.....	Mary McElligott.....	Oct. 26, 1895	252
do.....	Catherine Sweeney.....	Oct. 3, 1896	168
do.....	Lizzie McGarrigle.....	June 10, 1895	240
do.....	Celia McDonnell.....	July 10, 1896	168
do.....	Kathleen Brennan.....	Dec. 11, 1895	180
do.....	Helen Brennan.....	July 25, 1894	252
do.....	Katie Haran.....	Aug. 26, 1895	192
do.....	Lizzie Rooney.....	Aug. 23, 1895	180
do.....	Lizzie Doerflinger.....	Mar. 24, 1896	180
do.....	Mary Gill.....	Mar. 10, 1896	192
do.....	Kate O'Connor.....	April 14, 1896	180
do.....	Della Lynch.....	April 17, 1896	180
do.....	Mary M. Hawkins.....	Mar. 10, 1896	252
do.....	Kate O'Rourke.....	Aug. 13, 1898	216
do.....	John Finnegan.....	Aug. 19, 1896	240
do.....	James O'Brien.....	May 27, 1896	252
do.....	John M. Reardon.....	May 29, 1895	252
do.....	John J. Norton.....	May 21, 1899	252
do.....	Francis J. Boylan.....	Aug. 19, 1896	240
do.....	James Sheridan.....	Aug. 19, 1896	240
do.....	Daniel C. Cronin.....	April 7, 1896	252
do.....	John Regan.....	Aug. 9, 1896	240
do.....	Patrick Degney.....	Nov. 4, 1896	240
do.....	Thomas Dinan.....	Nov. 4, 1896	240
do.....	James McInerney.....	Aug. 20, 1896	240
do.....	George McCullough.....	Sept. 3, 1896	240
do.....	Bryan Clune.....	July 7, 1896	240
do.....	Edward T. Burd.....	Oct. 17, 1896	240
do.....	Mary Kelly.....	Oct. 14, 1896	168
do.....	Catherine Nallen.....	Nov. 1, 1896	240
do.....	Catherine Sullivan.....	July 18, 1896	240
do.....	Annie Clancey.....	June 10, 1896	240
do.....	Minnie Scollard.....	Aug. 17, 1895	240
do.....	Mary O'Brien.....	Aug. 6, 1894	216
do.....	Anna Manly.....	Oct. 21, 1896	240
do.....	Bridget M. Gilleran.....	Mar. 24, 1896	252
do.....	Margaret Doheny.....	Sept. 18, 1896	168
do.....	Margaret Sullivan.....	Aug. 14, 1897	168
do.....	Mary A. Skelly.....	May 5, 1894	252
do.....	Mary A. McLaughlin.....	June 3, 1896	240
do.....	Nora McEllicott.....	Oct. 29, 1896	168
do.....	Bella Tunney.....	Aug. 26, 1895	192
do.....	Hannah Cotter.....	Oct. 10, 1895	192
do.....	Hannah Cashman.....	May 20, 1896	180
do.....	Nora Skelly.....	July 22, 1896	168
do.....	Margaret Keane.....	Oct. 16, 1896	168
do.....	Ellie Callahan.....	June 5, 1896	168
do.....	Nora Kelly.....	April 4, 1895	240
do.....	Julia E. Kerrigan.....	Nov. 11, 1896	168
do.....	Hanora McGrath.....	June 5, 1896	168
do.....	Mary McGloin.....	Dec. 1, 1896	168
do.....	Mary F. Stenson.....	Sept. 18, 1896	168
do.....	Annie L. Barry.....	April 1, 1897	168
do.....	Anna A. Bree.....	July 1, 1897	168
do.....	Fleanor Blemings.....	Sept. 28, 1897	168
do.....	Katherine Breen.....	Nov. 17, 1897	168
do.....	Ellen Campbell.....	Dec. 7, 1897	168
do.....	Catherine Carolan.....	Oct. 11, 1897	168

Ward's Island, Female Department—(Continued).

Class III—(Continued).

Position.	NAME	Date of entrance into position.	Compensation.
Attendant.....	Sarah A Carson.....	April 23, 1897	\$168
do	Mary Clancy.....	Dec. 13, 1897	168
do	Robert Clark.....	April 2, 1897	168
do	Anna T. Clarke.....	Sept. 14, 1897	168
do	Elizabeth Collins.....	Nov. 10, 1897	240
do	Maria Conlon.....	Dec. 7, 1897	168
do	Mary Conroy.....	Feb. 19, 1897	168
do	Annie Cronin.....	Nov. 1, 1897	168
do	Mary Cullen.....	Sept. 13, 1897	168
do	Celia Cummings.....	Oct. 8, 1897	168
do	Katherine Cunningham.....	Jan. 11, 1898	168
do	Sarah Curley.....	Jan. 4, 1897	168
do	Mary Curran, No. 2.....	April 5, 1897	168
do	Ellen Dalton.....	Nov. 5, 1897	168
do	Clara Davis.....	June 1, 1897	240
do	Julia Denny.....	Aug. 12, 1897	168
do	Nora Denny.....	April 1, 1897	168
do	Sabina M. Derlith.....	Dec. 13, 1897	168
do	Catherine Dillon.....	July 19, 1897	168
do	Elizabeth Donnelly.....	June 18, 1897	168
do	Terrence F. Donovan.....	Feb. 15, 1897	240
do	Elizabeth Doonan.....	Oct. 8, 1897	168
do	Hattie J. Douglas.....	Oct. 25, 1897	168
do	Annie Duffell.....	Nov. 15, 1897	168
do	Annie Egan.....	July 13, 1897	168
do	Margaret Egan.....	June 1, 1897	168
do	Teresa Ekins.....	July 16, 1898	252
do	Alice Flanagan.....	July 19, 1897	168
do	Katherine Fletcher.....	April 1, 1897	168
do	Deba Flinn.....	Sept. 1, 1897	168
do	Susanna Flinn.....	June 3, 1897	168
do	Kathleen Flynn.....	June 18, 1897	168
do	Mary C. Flynn.....	Nov. 1, 1897	168
do	Julia Geaney.....	Feb. 5, 1897	168
do	John Gillespie.....	Aug. 6, 1897	240
do	Mary Ginnity.....	Nov. 18, 1897	168
do	Ellen F. Griffin.....	Sept. 1, 1897	168
do	Ester Hagberg.....	Sept. 27, 1897	168
do	Catherine Hargan.....	June 1, 1897	168
do	Catherine Harnett.....	Nov. 29, 1896	168
do	Christine Harte.....	Dec. 25, 1894	264
do	Ellen Hartnett.....	June 1, 1897	168
do	Mary Heagney.....	May 12, 1897	168
do	Annie M. Hoffman.....	Sept. 1, 1897	168
do	Mary G. Higgins.....	June 21, 1897	168
do	Addie J. Hilliker.....	Oct. 25, 1897	168
do	Mary H. Hoad.....	July 19, 1897	168
do	James Holohan.....	Oct. 6, 1897	240
do	Margaret L. Hunt.....	Sept. 28, 1897	168
do	Rose Hynes.....	Feb. 10, 1897	168
do	Bridget Irwin.....	June 4, 1897	168
do	Edward J. Jordan.....	June 8, 1897	240
do	Margaret Kenney.....	May 17, 1894	240
do	Catherine Keany.....	April 15, 1897	168
do	Ellen J. Kelly.....	Oct. 8, 1897	168
do	Sarah F. Kelly.....	June 4, 1897	168
do	Elizabeth Kennedy.....	Nov. 20, 1897	168
do	Mary Keany.....	June 18, 1897	168
do	Annie Keves.....	Nov. 27, 1897	168
do	Robert Kirkhone.....	Mar. 19, 1897	240
do	Sarah Y. Lazenby.....	Feb. 16, 1897	240
do	Sarah Leary.....	April 26, 1897	168
do	Almeta Lloyd.....	Oct. 11, 1897	168
do	Catherine F. Lyons.....	June 18, 1897	168
do	Mary Lyons.....	Sept. 21, 1897	168
do	Catherine McCabe.....	April 5, 1897	168
do	Bridget McCafferty.....	Aug. 6, 1897	168
do	Patrick McCafferty.....	June 21, 1897	240
do	Beila McCann.....	Feb. 26, 1897	168
do	Clatherine McCluskey.....	Dec. 8, 1897	168
do	Sarah McDermott.....	Nov. 27, 1897	168
do	Rose H. McGrath.....	Sept. 3, 1897	168
do	Katherine McHugh.....	Feb. 15, 1897	168

NEW YORK CIVIL SERVICE COMMISSION.

1087

Ward's Island, Female Department—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Annie McIlhargy.....	July 13, 1897	\$168
do	Nora McInerney.....	June 25, 1897	168
do	Catherine McLaughlin.....	Oct. 11, 1897	168
do	Mary A. McMahon.....	Feb. 5, 1897	168
do	James McNamara.....	Nov. 10, 1897	240
do	Annie McPartland.....	Sept. 10, 1897	168
do	Catherine McSherry.....	Dec. 1, 1897	168
do	Mary Magner.....	Dec. 4, 1897	168
do	Kathleen Magrath.....	April 1, 1897	168
do	Mary J. Maguire.....	April 9, 1897	168
do	Nora Marron.....	Sept. 15, 1897	168
do	Mary C. Mortimer.....	May 1, 1897	240
do	Anna M. Muir.....	July 6, 1897	168
do	Isabella A. Muir.....	April 1, 1897	168
do	Nora Mullaly.....	June 25, 1897	168
do	Bridget Murphy.....	Nov. 1, 1897	168
do	Joseph M. Murphy.....	April 5, 1897	240
do	Margaret N. O'nean.....	Nov. 17, 1897	168
do	Minnie Norton.....	June 18, 1897	168
do	Marguerite O'Callahan.....	July 19, 1897	168
do	Ellen O'Connor.....	June 9, 1897	168
do	Mary O'Connor.....	Mar. 1, 1897	168
do	Winifred A. O'Hagan.....	April 6, 1897	168
do	Ellen O'Mara.....	April 13, 1897	168
do	Margaret O'Meara.....	Dec. 4, 1897	168
do	Ellen O'Neil.....	Sept. 15, 1897	168
do	George Ormsby.....	Aug. —, 1897	240
do	Nora O'Shea.....	April 16, 1897	168
do	Mary R. O'Sullivan.....	Nov. 26, 1897	168
do	Frida M. Paetsch.....	Sept. 7, 1897	168
do	Josephine Quigley.....	June 8, 1897	168
do	Catherine Quinn.....	Aug. 6, 1897	168
do	Sarah J. Rankin.....	May 5, 1897	168
do	Mary A. Ryan.....	Sept. 1, 1897	168
do	Ina M. L. Sayers.....	Dec. 7, 1897	168
do	Elizabeth Scanlon.....	Feb. 19, 1897	168
do	Mary Sears.....	Dec. 8, 1897	168
do	Dora Seeger.....	May 7, 1897	168
do	Julia Sheridan.....	April 5, 1897	168
do	Auntie M. Shields.....	Sept. 8, 1897	168
do	Sarah Small.....	Jan. 9, 1897	240
do	Della T. Smith.....	May 5, 1897	168
do	Marcel F. Squire.....	Oct. 15, 1897	168
do	Mary A. Swords.....	Nov. 10, 1897	168
do	Mary Taylor.....	April 26, 1897	168
do	Mary A. Vance.....	April 26, 1897	168
do	Mary Vauxhan.....	Dec. 13, 1897	168
do	Margaret E. Whalen.....	Dec. 28, 1896	240
do	Bridget Williams.....	Nov. 26, 1897	168
do	Minerva M. Womer.....	Dec. 13, 1897	178
do	Belinda A. Wright.....	Jan. 1, 1897	168
do	Margaret F. Smith.....	Dec. 25, 1897	168
do	Hubert F. McNally.....	Dec. 28, 1897	240
do	Matthew K. Dunne.....	Dec. 14, 1897	240
do	Catherine Gilroy.....	Dec. 14, 1896	168
do	Hannah Barry.....	Dec. 14, 1896	168
do	Marion D. O'neer.....	Dec. 14, 1896	168
do	Johanna Kerwick.....	Dec. 18, 1896	168
do	Emily McGuire.....	Dec. 15, 1896	168
do	Mary M. See.....	Oct. 19, 1897	168
do	Bridget Scully.....	Oct. 15, 1897	168

Ward's Island, Male Department.

Class I.

Chaplain	Alfred Blewitt	Jan., 1880	450
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Ward's Island, Male Department—(Continued).

Class II.

Position.	NAME.	Date of entrance into position.	Compensation.
Medical Superintendent	Percy Bryant	Jan., 1897	\$2,500
Assistant Physician	Louis C. Pettit	April, 1899	2,000
do do	Archibald Campbell	Jan., 1895	1,600
do do	Dwight S. Spellman	Dec., 1899	1,400
do do	W. J. Furness	Oct., 1893	1,300
do do	G. B. Campbell	May 13, 1892	1,500
do do	John Riordan	Jan. 1, 1897	1,200
Junior Physician	W. O. Cuttiff	Aug., 1895	1,000
do do	John W. Wickliffe	Feb., 1896	900
do do	John R. Knapp	June, 1896	900
do do	Arthur B. Wright	Dec. 15, 1896	900
do do	Amasa P. Muir	Nov. 21, 1897	900
do do	Frank G. Hyde	April 17, 1897	900
do do	John H. Crosby	Dec. 2, 1897	900
do do	John M. Holt	Jan. 1, 1898	900
Medical Intern	Clarence F. Haviland	Dec. 29, 1896	600
Apothecary	George E. Ferguson	May, 1896	480
Assistant Steward	John F. Scheffer	Oct. 10, 1896	900
Storekeeper	David Langdon	Mar., 1894	570
Steam and Mechanical Engineer	Thomas Carroll	May, 1890	1,200
Assistant Steam Engineer	John Coddington	Nov. 8, 1897	600
do do do	Wm. B. Armstrong	April 15, 1897	720

Class III.

Plumber	F. J. Henry	April, 1896	\$3 50 per diem
do	Thomas Brady	May, 1896	3 50 per diem
do	Thos. Brown	May 1, 1896	\$204
Plumbers' Helper	John Devine	Aug 1, 1896	252
Steamfitter	Michael J. Kelly	Oct., 1896	\$3 50 per diem
do	S. J. Jones	Sept. 18-96	3 50 per diem
Steamfitters' Helper	H. J. Brownlee	April 21, 1897	\$733
do do	John Hayde	Jan. 1, 1896	228
Nurse	Max Yaffe	Mar. 1, 1897	300
Page Boy	John McCarthy	June, 1895	180
do	Henry R. Smith	Dec., 1896	180
do	Daniel J. Curtin	Mar. 15, 1897	180
do	William J. Head	Dec. 18, 1897	180
Foreman Printer	Robert Strong	May, 1896	810
Printer	B. D. Fleet	July, 1897	600
Head Farmer	Charles Sayer	Oct., 1893	540
Gardener	Michael Joyce	Dec., 1893	420
do	Michael Hennigan	Aug., 1894	420
do	Edward Stevin	Mar., 1896	420
Florist	Joseph Thompson	June, 1893	420
Fireman	James Brennan	Nov., 1893	420
do	John Corcoran	Feb., 1893	420
do	Joseph Bull	April, 1896	420
do	Peter Gallagher	April, 1894	420
do	Michael Harrington	Oct., 1896	420
do	Thomas Malone	Mar., 1893	420
do	James Maloney	April, 1895	420
do	Robert McFarlane	Dec., 1893	420
do	Patrick Keating	Sept., 1896	420
do	Thomas Downham	July, 1896	420
do	Timothy Curtin	April 15, 1897	420
Policeman	Lawrence Butler	Dec. 18, 1896	420
do	Joseph Bell	Nov. 1, 1897	420
Supervisor	Edmund F. Bagshaw	Nov., 1893	576
do	Joseph H. Cromwell	July, 1893	540
do	Laurence Fahey	Mar., 1891	420
do	Timothy Doorley	Oct., 1890	540
do	Edward Pye	April, 1890	540
do	Richard McHugh	May, 1894	540
do	William Hergin	Mar., 1894	540
do	William Thompson	May, 1893	540
do	Michael O'Brien (No 1.)	May 1, 1897	420
do	Daniel Leddy	Aug. 1, 1897	420
Housekeeper	Mary A. Blaney	Nov., 1891	360
Watchman	John Curack	May, 1891	420
do	Peter Curran	Mar., 1893	420

NEW YORK CIVIL SERVICE COMMISSION.

1089

Ward's Island, Male Department—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Watchman.....	George Fitzsimmons.....	Sept., 1893	\$420
do	John Lloyd.....	Jan., 1895	420
do	John Costin.....	Dec. 1, 1897	420
do	George W. Magee.....	Feb. 1, 1897	420
Barber	Henry O. Klingbell.....	Mar. 8, 1897	360
Chef	Charles Zenker.....	Jan. 1, 1898	900
Head Cook.....	Charles G. Moore.....	July, 1894	480
do	F. J. Feychting.....	Aug. 1, 1897	480
Cook	John Sweeney.....	June, 1896	300
do	James Lawles.....	Dec., 1896	300
do	Harry L. Murphy.....	Dec. 1, 1897	300
do	Kate Banville.....	Sept. 1, 1899	240
do	Nellie Riley.....	April 5, 1897	940
do	Alice H. Boylan.....	Nov. 11, 1897	240
Baker	William Ryan.....	Dec., 1896	600
Assistant Baker.....	Thomas O'Gara.....	Nov., 1895	300
Meat Cutter.....	Charles F. Bechstedt.....	April, 1896	570
do	Morris Mendell.....	Feb. 1, 1897	480
Laundry Overseer.....	Samuel J. McKnight.....	Sept., 1896	690
Laundrer.....	James Daly.....	April 1, 1897	300
Fireman.....	Edward Durant.....	Sept., 1896	420
do	William J. Price.....	Jan. 20, 1897	420
Blacksmith.....	John P. Morgan.....	Feb. 15, 1897	600
Special Attendant.....	William Hilditch.....	Mar., 1891	420
do	P. J. Murphy.....	April, 1895	372
do	Bernard McManus.....	Mar., 1896	360
do	Patrick Ryan (No. 1).....	June, 1899	420
do	Alex McBean.....	Oct., 1890	420
do	John J. Britt.....	Aug., 1896	360
do	John W. Thomas.....	Jan., 1899	420
do	Martin Brennan.....	Jan., 1892	408
do	S. L. Smith.....	Nov., 1892	420
do	Michael Duggan.....	Dec., 1892	396
do	Emil Frommert.....	June, 1895	372
do	Patrick J. Quinn.....	July, 1890	420
do	Edward P. Nolan.....	Jan., 1892	420
do	Michael Gorman.....	July, 1899	420
do	Michael O'Brien (No. 2).....	July, 1892	408
do	Eugene Geary.....	Feb. 1, 1897	360
do	Thomas W. Harmon.....	Sept. 1, 1897	360
do	Francis W. Parry.....	Feb. 1, 1897	360
do	John G. Roche.....	April 1, 1897	360
do	Jerome Sullivan.....	May 1, 1897	360
do	Edward L. Garrett.....	July 1, 1897	360
do	Joseph J. Lee.....	June 15, 1897	360
do	Louis Drewcher.....	Jan. 1, 1898	360
do	Robert G. Wilson.....	Jan. 1, 1898	360
do	Meredith Parsloe.....	Jan. 1, 1898	360
Attendant.....	Patrick Burns.....	Aug., 1894	336
do	Thomas Carroll.....	Oct., 1895	312
do	Garret Cullen.....	Nov., 1896	336
do	Robert Ormaby.....	June, 1896	312
do	David W. Davis.....	Aug., 1894	336
do	W. J. Doyle.....	June, 1895	324
do	Francis McCann.....	May, 1897	312
do	William Hughes.....	Dec., 1895	312
do	William J. Hamilton.....	May, 1895	324
do	William Lowe.....	Feb., 1898	372
do	Daniel Lynch.....	July, 1894	336
do	Arthur Sullivan.....	June, 1896	252
do	Thomas Deely.....	Nov., 1895	264
do	Joseph McEvoy.....	Aug., 1896	252
do	George McMahon.....	June, 1895	300
do	Cornellus Gallagher.....	June, 1896	252
do	John E. Duffy.....	Aug., 1896	240
do	Michael J. Quinn.....	Sept., 1891	360
do	Paul Schoenberg.....	Oct., 1890	288
do	Patrick Walsh.....	Nov., 1895	264
do	Thomas Hurley.....	Nov., 1891	360
do	Henry Meredith.....	July, 1896	240
do	P. J. Casey.....	July, 1896	240
do	Patrick Loughran.....	Sept., 1887	288

FIFTEENTH REPORT OF THE

Ward's Island, Male Department—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant	Matthew B. Branelly	Nov., 1898	\$288
do	Burdt McKinney	April, 1891	288
do	Owen Mulligan	June, 1889	280
do	Michael Fahy	Oct., 1896	240
do	James French	July, 1896	240
do	James Duffy	Jan., 1896	300
do	Isaac Findlay	Sept., 1896	288
do	C. H. Tubbs	July, 1896	240
do	Joseph Prudhomme	July, 1895	312
do	John McGrath	May, 1895	276
do	Thomas Clery	Jan., 1888	288
do	Michael W. Flynn	Feb., 1896	252
do	J. hn McMahon	June, 1896	252
do	Peter Heagney	Aug., 1893	236
do	W. F. Callaghan	Sept., 1891	288
do	Michael Hanlon	July, 1896	240
do	Thomas Cannon	May, 1892	248
do	William McDonnell	Dec., 1896	240
do	David Wallace	Dec., 1896	240
do	John J. Plunkett	Nov., 1888	272
do	John F. Parry	Feb., 1892	260
do	Richard Donigan	Oct., 1895	312
do	Martin Reidy	Sept., 1895	284
do	Thomas W. McEneaney	Jan., 1895	312
do	Rodger Larkin	Dec., 1891	264
do	Michael Walsh	July, 1894	312
do	Robert J. Walsh	Jan., 1895	284
do	Peter Keegan	June, 1896	252
do	Axel Virgin	June, 1896	312
do	James McNamee	June, 1896	252
do	John Manee	April, 1896	300
do	John L. Cole	June, 1896	300
do	John B. Coyle	Mar. 1, 1897	300
do	L. C. Perkins	July, 1896	300
do	Arthur Hanlon	July, 1890	360
do	William Fitzpatrick	Nov., 1895	264
do	Dennis Ryan	Nov., 1896	240
do	Edward F. Keough	Sept., 1896	240
do	Samuel P. Havens	Jan. 25, 1897	240
do	Patrick O'Gorman	Dec., 1896	240
do	T. J. McAloon	Sept., 1896	300
do	George Scott	Aug., 1894	300
do	Edward J. Woods	June, 1896	300
do	J. J. O'Keefe	Sept., 1896	240
do	John J. Walsh	May, 1896	252
do	Robert Stackpole	June, 1893	300
do	John T. Ryan	Sept., 1896	240
do	Thomas Crawford	Oct., 1896	240
do	Oscar B. Rummell	Oct., 1896	240
do	Daniel Guinee	Dec., 1895	288
do	Michael Anderson	April, 1896	252
do	James W. Meade	Nov., 1896	240
do	W. G. Sweetman	June, 1896	252
do	John Ester	June, 1896	252
do	Francis O'Reilly	Nov., 1896	300
do	William Carroll	Aug., 1894	240
do	Henry McEneaney	Oct., 1896	240
do	Laurence Butler	Aug., 1891	284
do	Alex Mooney	Feb., 1893	288
do	Patrick Kilmourhey	July 25, 1895	264
do	Stephen Bullman	Jan. 26, 1896	252
do	T. T. Walsh	Nov., 1896	240
do	Patrick Boyle	May, 1895	300
do	Martin Lonergan	Feb., 1896	252
do	John Nan	June, 1896	252
do	Jeremiah Mooney	Sept., 1896	240
do	James Higgins	Sept., 1893	288
do	Edward Kelly	May, 1896	288
do	B. J. Carberry	Oct., 1896	240
do	John A. Craven	Dec., 1895	300
do	John Walsh	June, 1896	288
do	Joseph Martin	June, 1896	288

NEW YORK CIVIL SERVICE COMMISSION.

1091

Ward's Island, Male Department—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Patrick McGee	Sept., 1896	\$240
do	Patrick Thompson.....	Aug., 1894	234
do	Patrick T. Tully.....	Dec., 1896	240
do	Hugh S. French	Dec., 1896	240
do	Arthur G. Foley	Oct., 1896	240
do	Charles G. Brown.....	May, 1896	252
do	Patrick J. McAffrey.....	April, 1893	312
do	Peter Flinnerty.....	April, 1892	300
do	George C. Barker.....	July, 1896	240
do	Thomas McClelland.....	Mar., 1894	324
do	Edward G. Dempsey.....	April, 1891	360
do	Robert McMullin.....	May, 1896	252
do	Terence Creamer.....	May, 1896	252
do	Patrick J. Madden.....	June, 1895	276
do	Bryan Plunkett.....	May, 1896	252
do	Peter Fitzgerald.....	May, 1896	252
do	Michael Carroll.....	Jan., 1896	312
do	William Connolly.....	June, 1896	300
do	Frank Conlin.....	Dec., 1896	240
do	Michael K-inney.....	Feb., 1896	232
do	Joseph Baldus.....	April, 1896	252
do	Henry Dohren.....	July, 1888	300
do	John Carroll.....	Oct., 1896	240
do	George Lawless.....	Jan., 1895	312
do	Osborne E. Dominy.....	Aug., 1894	288
do	William R. Mitchell.....	July, 1896	240
do	James Kelly (No. 1).....	Sept., 1895	300
do	Thomas L. Rutler.....	July, 1896	240
do	E. C. Dougherty.....	May, 1896	252
do	J. T. Ryan.....	Mar. 25, 1895	300
do	William M. B-stall.....	May, 1896	252
do	William A. Flaherty.....	Sept., 1896	240
do	Patrick Maloney.....	Aug., 1896	240
do	Edward Wall.....	June, 1896	252
do	John J. Lonergan.....	May, 1895	312
do	Patrick Burke.....	Oct., 1892	360
do	James G. Barnes.....	Jan. 20, 1897	240
do	Alexander Berkowitz.....	Nov. 8, 1897	240
do	Patrick Brennan.....	Aug. 25, 1897	240
do	Thomas F. Brennan.....	Mar. 1, 1897	240
do	Walter R. Burbank.....	Aug. 4, 1897	240
do	George Caldwell.....	Oct. 15, 1897	240
do	Luke Cassidy.....	May 12, 1897	240
do	Patrick J. Clarke.....	July 19, 1897	240
do	William Clayborne.....	Jan. 21, 1897	240
do	Arthur Comyn.....	May 12, 1897	240
do	James Connolly.....	Sept. 1, 1897	240
do	James J. Conran.....	Mar. 15, 1897	240
do	Thomas F. Cummings.....	Nov. 8, 1897	240
do	John P. Dixon.....	Jan. 4, 1897	240
do	Joseph Dougherty.....	Nov. 24, 1897	240
do	Patrick Doyle.....	May 12, 1897	210
do	James J. Dunn.....	May 5, 1897	240
do	C. J. C. Facenfeldt.....	June 10, 1897	240
do	Patrick J. Finau.....	Mar. 15, 1897	240
do	Patrick J. Flanagan.....	Feb. 15, 1897	240
do	Thomas Q. Fogarty.....	June 10, 1897	240
do	Patrick Ford.....	June 10, 1897	240
do	Henry Fox.....	July 6, 1897	240
do	Martin W. Gansberg.....	Nov. 26, 1897	240
do	Thomas Gilseman.....	Jan. 22, 1897	240
do	Patrick Gormley.....	Oct. 15, 1897	240
do	Patrick E. Hartnett.....	Oct. 19, 1897	240
do	Michael Hegarty.....	April 15, 1897	240
do	James Henry.....	Nov. 24, 1897	210
do	Joseph Hoffman.....	Nov. 15, 1897	240
do	Frank Jarvis.....	May 5, 1897	240
do	Patrick Kiernan.....	Nov. 8, 1897	240
do	Edward King.....	Jan. 2, 1897	240
do	Frank H. Kinsella.....	Oct. 15, 1897	240
do	James T. Lane.....	June 22, 1897	240
do	Michael Lane.....	June 1, 1897	240

Ward's Island, Male Department—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	William E. Laragh.....	Oct. 19, 1897	\$240
do	Daniel J. Leddy.....	Aug. 16, 1897	240
do	Peter Leonard.....	Oct. 15, 1897	240
do	Daniel Linehan.....	June 10, 1897	240
do	M. P. Lonergan.....	May 5, 1897	240
do	Patrick Lynan.....	Jan. 7, 1897	240
do	Patrick J. McCabe.....	Nov. 24, 1897	240
do	Daniel Macdonald.....	Jan. 4, 1897	240
do	John McDonough.....	April 15, 1897	240
do	William C. McDonough.....	Jan. 2, 1897	240
do	William McGrath.....	May 1, 1897	240
do	Patrick McInerney.....	Nov. 24, 1897	240
do	William McInerney.....	Nov. 8, 1897	240
do	Henry C. McIvor.....	April 15, 1897	240
do	Owen Mackin.....	July 15, 1897	240
do	Andrew McManus.....	May 12, 1897	240
do	Patrick McManus.....	July 15, 1897	234
do	James Murphy.....	Mar. 15, 1897	240
do	Thomas Malley.....	April 17, 1897	240
do	James Moran.....	July 19, 1897	240
do	James Mulhall.....	May 5, 1897	240
do	Edmund Murphy.....	Oct. 19, 1897	240
do	Henry Murphy.....	Oct. 19, 1897	240
do	Jeremiah Murray.....	Jan. 4, 1897	240
do	Cornelius Mullen.....	Feb. 1, 1897	240
do	Richard Nightingale.....	Mar. 15, 1897	240
do	Bartholomew O'Brien.....	June 21, 1897	240
do	Jeremiah O'Brien.....	Feb. 15, 1897	240
do	Thomas O'Brien.....	Oct. 19, 1897	240
do	Daniel O'Connell.....	Mar. 15, 1897	240
do	Lauritis Olsen.....	Feb. 15, 1897	240
do	John A. Quinn.....	May 12, 1897	240
do	John E. Rasmussen.....	Sept. 1, 1897	240
do	Thomas Roche.....	June 10, 1897	240
do	Joseph E. Rooney.....	April 15, 1897	240
do	Andrew Russell.....	July 6, 1897	240
do	John F. Ryan.....	May 13, 1897	240
do	John L. Ryan.....	June 10, 1897	240
do	Michael Ryan.....	April 15, 1897	240
do	Dennis Scanlon.....	May 12, 1897	240
do	George Schappi.....	Sept. 1, 1897	240
do	Thomas Sexton.....	Oct. 15, 1897	240
do	Arthur Shatwell.....	Nov. 27, 1897	240
do	Alexander J. Smith.....	Sept. 1, 1897	240
do	Peter Smith.....	April 15, 1897	240
do	Daniel A. Sullivan.....	July 6, 1897	240
do	Frank T. Sullivan.....	July 19, 1897	240
do	Mathew J. Taffe.....	April 16, 1897	240
do	Richard C. Walsh.....	Nov. 17, 1897	240
do	James J. Ward.....	Oct. 19, 1897	240
do	Michael Ward.....	Oct. 5, 1897	240
do	Matthew J. White.....	May 5, 1897	240
do	Leo Will.....	Jan. 4, 1897	240
do	Frederick G. Winklemeyer.....	May 12, 1897	240
do	Hugo Winter.....	Sept. 1, 1897	240
do	Charles Wren.....	Oct. 15, 1897	240
do	Matthew Wren.....	July 6, 1897	240
do	Thomas J. Daly.....	Dec. 20, 1897	240
do	James Ryan.....	Dec. 20, 1897	240
do	Charles E. Russell.....	Dec. 20, 1897	240
do	Joseph Grier.....	Dec. 20, 1897	240
do	Alfred R. de Blaquiere.....	Dec. 20, 1897	240
do	Thomas O'Connor.....	Dec. 21, 1897	240
do	Chas. M. Hilliker.....	June 29, 1897	240

Hart's Island.

Class I.

Chairlain	Plus Mac-i	Aug. 1, 1895	450
do	Charles A. Wenman	Sept. 22, 1895	225

*Hart's Island—(Continued).**Class II.*

Position.	NAME.	Date of entrance into position.	Compensation.
First Assistant Physician.....	Herman C. Everts.....	Feb. 22, 1889	\$2,500
do	John T. W. Roe.....	July 9, 1885	2,100
Assistant Physician.....	Benjamin R. Logie.....	Aug. 26, 1895	1,800
do	Louis Walther.....	May 9, 1895	1,000
do	Guy S. Peterkin.....	Oct. 1, 1895	1,000
do	Frank H. Magness.....	Nov. 1, 1897	1,200
Junior Physician.....	Paul G. Taddiken.....	Dec. 10, 1896	900
Woman Physician.....	Anna E. Hutchinson.....	July 1, 1896	1,000
Assistant Steward.....	John W. Elmes.....	Mar. 1, 1897	900
Storekeeper.....	Thomas O'Keefe.....	Dec. 22, 1897	480
Apothecary.....	Agnes P. Mahoney.....	Oct. 23, 1896	480
Stenographer.....	Kate H. O'Flanigan.....	July 23, 1896	480
Chief Engineer.....	Ernest W. Low.....	Sept. 15, 1892	1,200
Assistant Engineer.....	John Dowling.....	Aug. 1, 1893	600
Assistant Electrical Engineer.....	Leonard F. Boom.....	Dec. 23, 1896	720

Class III.

Page Boy.....	Edward Guinee.....	Jan. 6, 1894	180
do	William Greeley.....	Aug. 20, 1895	180
do	Richard C. McKenzie.....	Mar. 5, 1897	168
Supervisor.....	Eliza McCloskey.....	Feb. 7, 1879	480
do	Rose Naughton.....	Mar. 22, 1883	480
do	Mary Fitz Maurice.....	Oct. 26, 1889	480
do	Michael D. Hugh.....	April 11, 1894	480
Fireman.....	James Flanagan.....	Aug. 23, 1888	480
do	Patrick Gallivan.....	Aug. 14, 1896	480
do	James F. Dowling.....	Oct. 13, 1897	480
do	James Maloney.....	Oct. 13, 1897	480
Watchman.....	Jeremiah McCarthy.....	Aug. 10, 1894	420
do	Samuel Watts.....	June 21, 1894	420
do	Michael Cummins.....	Nov. 15, 1895	420
do	Joseph Dermody.....	Oct. 13, 1897	420
do	Maurice Riordan.....	Jan. 1, 1897	420
Head Laundress.....	Annie Halpin.....	Dec. 15, 1884	300
do	Jane Seiersen.....	May 26, 1881	300
Housekeeper.....	Lizzie Hart.....	May 1, 1897	300
Chef.....	Rudolph Sparaguanane.....	April 25, 1894	900
Head Cook.....	Theodore H. Kluppelberg.....	June 15, 1896	480
do	Hans H. J. Sander.....	Jan. 1, 1897	480
Cook.....	Mary Gillick.....	Sept. 18, 1891	240
do	Kate A. Fallon.....	April 17, 1896	240
do	Mary McNamara.....	Nov. 12, 1897	240
Baker.....	Philip Kerner.....	Jan. 21, 1897	600
Meat Cutter.....	Paul J. Horan.....	April 1, 1897	480
Lineman.....	Ira W. Brown.....	Feb. 14, 1895	420
Carpenter.....	Robert Latta.....	April 1, 1897	600
Mason.....	William F. Brennan.....	May 1, 1897	600
Painter.....	Jacob Horen.....	May 1, 1897	600
Farmer.....	Patrick Kilourhey.....	Jan. 14, 1897	300
Special Attendant.....	William F. Fitzpatrick.....	Mar. 19, 1896	360
do	John J. Byrne.....	July 4, 1896	360
do	Alice N. Lowe.....	Sept. 9, 1895	312
do	Bridget Fox.....	Sept. 15, 1896	300
do	Hattie E. Kennedy.....	July 1, 1896	300
do	Thomas Bradley.....	Sept. 17, 1894	384
do	Charles E. Palmer.....	Mar. 19, 1896	360
do	Edward Norton.....	Dec. 31, 1896	396
do	George H. Bristol.....	Aug. 6, 1894	384
do	Michael F. O'Shea.....	June 10, 1895	372
do	Sarah Kelly.....	Nov. 16, 1884	360
do	Catherine O'Connor.....	Feb. 14, 1894	384
do	Elizabeth A. Farley.....	Feb. 6, 1892	300
do	John Bentley.....	Oct. 15, 1895	360
do	Charles Kanaly.....	May 1, 1897	360
do	Michael F. O'Neill.....	Jan. 1, 1897	360
do	Frederick L. Reed.....	Sept. 1, 1897	360
Attendant.....	Maria McSwaney.....	July 13, 1896	168
do	Kate Sullivan.....	Sept. 26, 1896	168
do	Maria Wilson.....	Oct. 16, 1887	300
do	Fanny Mullarky.....	Oct. 16, 1887	216

FIFTEENTH REPORT OF THE

Hart's Island—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Anna D. Healey	Nov. 21, 1888	\$216
do	Mary Hall	July 10, 1888	192
do	Anna McLeran	Sept. 1, 1884	216
do	Rose Finnegan	July 18, 1886	168
do	Annie Bracken	Oct. 4, 1880	800
do	Nora McCarthy	Sept. 28, 1889	216
do	Annie M. Griffin	June 5, 1888	240
do	Annie Whelan	Aug. 1, 1884	216
do	Minnie O'Brien	April 1, 1886	180
do	Jennie Sullivan	Aug. 31, 1885	192
do	Kate Riordan	Oct. 10, 1885	192
do	Lizzie A. Kehan	Mar. 12, 1892	228
do	Kate McMahon	Sept. 1, 1894	216
do	Annie Traynor	Aug. 2, 1892	216
do	Mary Lynn	Aug. 27, 1891	216
do	Annie Sullivan	Aug. 24, 1886	168
do	Katie J. Barry	Aug. 2, 1885	192
do	Mary O'Donnell	Jan. 7, 1895	204
do	Elizabeth Lestrade	Jan. 3, 1893	212
do	Lizzie O'Connor	April 1, 1894	252
do	Mary J. Kennedy	June 1, 1893	252
do	Annie McGuinness	Oct. 1, 1886	180
do	Emily O'Leary	April 9, 1885	240
do	Mary O'Keefe	Mar. 5, 1883	288
do	Nellie Morrissey	May 17, 1883	288
do	Mary Ahern	May 23, 1886	180
do	Mary Palmer	Sept. 2, 1886	312
do	Ellie M. Eagar	May 28, 1892	300
do	Marianna J. Murphy	July 22, 1892	300
do	Bessie Carroll	April 25, 1896	180
do	Lizzie McSherry	Mar. 28, 1895	264
do	Louis - Leddy	Aug. 20, 1891	252
do	Oliver Dowling	Mar. 25, 1896	300
do	Michael Thompson	June 13, 1896	312
do	James H. Talman	Aug. 1, 1893	288
do	Michael Hanrahan	May 23, 1896	312
do	Patrick T. F. x.	July 10, 1893	312
do	Michael J. Terney	Nov. 17, 1890	312
do	Joseph P. O'Reilly	Sept. 26, 1893	312
do	Joseph Gowen	July 13, 1896	252
do	Michael Walsh	May 23, 1896	300
do	William H. Hughes	Sept. 12, 1896	312
do	Robert Butler	Sept. 17, 1895	312
do	Daniel J. Sullivan	Aug. 1, 1896	300
do	Alexander Graham	Oct. 7, 1896	300
do	William Sullivan	May 23, 1896	300
do	William Curtin	May 9, 1895	240
do	Patrick McCormack	Oct. 17, 1896	300
do	James Whelan	Mar. 27, 1896	240
do	Robert H. Black	Nov. 19, 1896	240
do	Robert Simmons	Feb. 14, 1896	312
do	James Scott	May 23, 1896	300
do	Patrick Leddy	July 14, 1896	300
do	Daniel Culhane	Oct. 16, 1895	300
do	Eliza Hynes	Feb. 21, 1889	216
do	Margaret Scandon	May 7, 1896	216
do	Delia Reilly	June 27, 1891	216
do	Mary Connell	April 18, 1893	192
do	Kate Sheridan	Sept. 7, 1895	192
do	Kate Hessian	Oct. 2, 1896	300
do	Mary A. Reiser	Feb. 9, 1891	216
do	Kate Cox	Mar. 14, 1889	216
do	Katie Corlon	Oct. 17, 1896	216
do	Mary A. Leonard	Oct. 12, 1893	216
do	Katie Tormey	Mar. 27, 1896	216
do	Bridget Gaffney	Oct. 3, 1895	168
do	Mary E. Morgan	July 1, 1896	216
do	Mary Horan	Sept. 9, 1889	216
do	Lizzie Sheehan	Sept. 5, 1892	216
do	Bertha Enright	Nov. 7, 1892	168
do	Nellie Finnegan	Oct. 10, 1896	216
do	Jennie F. Kerr	Oct. 23, 1893	216

Hart's Island—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Christina Cox.....	April 24, 1890	\$216
do	Katie McNamara.....	Oct. 17, 1896	168
do	Elizabeth Finamore.....	Aug. 30, 1899	300
do	Mary Noonan.....	Mar. 19, 1896	180
do	Kaile O'Connor.....	Aug. 23, 1893	216
do	Anastasia Brennan.....	Oct. 21, 1890	216
do	Isabella Fitz Gerald.....	Feb. 1, 1894	216
do	Kate Dunphy.....	April 8, 1896	180
do	Lillie Moran.....	Sept. 23, 1896	168
do	Gertrude A. Sterling.....	Sept. 29, 1881	300
do	Francis M. Gildersleeve.....	April 2, 1883	216
do	Nellie Halpin.....	Nov. 13, 1896	168
do	Rachel Kelly.....	July 25, 1887	216
do	Sarah M. O'Hagen.....	Sept. 6, 1896	168
do	Annie Hartigan.....	Aug. 1, 1894	216
do	Kate Harte.....	June 20, 1896	168
do	Rebecca Walsh.....	Sept. 28, 1896	168
do	Maggie Moddler.....	June 16, 1885	300
do	Julia O'Connor.....	July 7, 1892	216
do	Ellie Butler.....	Mar. 16, 1888	216
do	Bella O'Donnell.....	May 11, 1894	252
do	Nora Riordan.....	April 23, 1895	204
do	Mary O'Mahony.....	Nov. 8, 1895	192
do	Maggie Berry.....	Nov. 5, 1896	168
do	Annie Tierney.....	Sept. 11, 1890	300
do	Mary F. Butler.....	April 21, 1891	300
do	Mary McCoy.....	Dec. 28, 1886	216
do	Mary Merrifield.....	May 24, 1896	180
do	Nora Haverly.....	Mar. 5, 1892	216
do	Isabella J. Fox.....	Sept. 1, 1892	216
do	Mary Chrystal.....	Sept. 20, 1890	216
do	Ellen J. McCaffery.....	Feb. 1, 1894	216
do	Mary O'Neill.....	May 1, 1894	216
do	Julia Murphy.....	April 25, 1895	204
do	Annie Condon.....	May 10, 1895	204
do	Maggie Traynor.....	June 8, 1895	192
do	Helen T. Leonard.....	June 14, 1895	192
do	Mary McArdle.....	June 15, 1895	192
do	Mary E. Flanagan.....	June 22, 1895	192
do	Ann E. Jey.....	June 23, 1895	192
do	Min. E. Young.....	Sept. 1, 1889	300
do	Annie Cronin.....	Oct. 1, 1894	204
do	Mary Murphy.....	May 23, 1896	252
do	Kate McArdle.....	July 23, 1895	192
do	Kate Conroy.....	Sept. 22, 1891	216
do	Maggie A. Giffey.....	Aug. 18, 1893	216
do	Annie Tryon.....	Oct. 22, 1896	168
do	Maria Stallone.....	Aug. 24, 1895	192
do	Nellie O'Hagan.....	Sept. 5, 1896	168
do	Mary A. G. Cleary.....	Oct. 4, 1895	192
do	John Nelligan.....	Sept. 4, 1896	168
do	Anna J. Ward.....	Nov. 12, 1895	192
do	Martin Glessner.....	Aug. 11, 1896	168
do	Harry S. Bacon.....	Sept. 8, 1897	240
do	Tony Bricean.....	April 17, 1897	240
do	James Brown.....	Mar. 5, 1897	240
do	Maggie Carroll.....	Nov. 5, 1897	168
do	William Collins.....	April 20, 1897	240
do	Ernest Collier.....	Oct. 21, 1897	240
do	Michael Conway.....	Nov. 16, 1897	240
do	Mary Coughlin.....	Jan. 19, 1897	168
do	Helen Crowley.....	April 1, 1898	168
do	Mary Dillon.....	Nov. 25, 1897	168
do	May R. H. Dixon.....	July 15, 1897	168
do	Winifred Doogue.....	Mar. 5, 1897	168
do	Alphia DuBois.....	May 27, 1897	240
do	Ellen Dunne.....	Feb. 9, 1897	168
do	Kate Dunne.....	Mar. 25, 1897	168
do	Laura M. Eareckson.....	Sept. 30, 1897	168
do	Jennie Fitzgerald.....	July 2, 1897	168
do	John Flanagan.....	Oct., 1896	312
do	Frances G. Fox.....	Jan. 11, 1897	168

Hart's Island—(Continued).**Class III—(Continued).**

Position.	NAME	Date of entrance into position	Compensation.
Attendant.....	John F. Guinee.....	Aug. 7, 1897	\$340
do	Mary T. Harte.....	Nov. 3, 1897	168
do	Nellie Harte.....	Oct. 18, 1897	168
do	Geo. J. Joseph.....	Nov. 12, 1897	240
do	Della Kallouhey.....	Aug. 5, 1897	168
do	Alpha B. Kellogg.....	Nov. 18, 1897	240
do	Florence Kelly.....	Oct. 5, 1897	168
do	Charles Keener.....	Aug. 6, 1897	240
do	Margaret McHugh.....	Mar. 18, 1897	168
do	Sarah McKenna.....	Oct. 7, 1897	168
do	Jennie McLaughlin.....	Mar. 18, 1897	168
do	Margaret Maginn.....	Dec. 8, 1897	168
do	Mary Meade.....	Nov. 2, 1897	168
do	Kathleen More.....	Mar. 25, 1897	168
do	Katie Mullaly.....	Dec. 2, 1897	168
do	Mary H. Murphy.....	Oct. 21, 1897	168
do	Edward Nolan.....	Feb. 2, 1897	240
do	William O'Connell.....	April 1, 1897	240
do	Ellen O'Gorman.....	Nov. 18, 1897	168
do	Daniel J. O'Keefe.....	Nov. 18, 1897	240
do	C. Venton Patterson.....	May 18, 1897	240
do	Robert W. Pollock.....	Jan. 22, 1897	240
do	John C. Purcell.....	Aug. 27, 1897	240
do	Thomas J. Ross.....	Sep. 2, 1897	240
do	M. J. Ryan.....	Aug. 16, 1897	240
do	Richard Ryan.....	Nov. 11, 1897	240
do	Castle B. Smith.....	Dec. 16, 1897	168
do	Chas. Smith.....	May 20, 1897	240
do	James Sweeney.....	Jan. 30, 1897	240
do	Nora Twomey.....	May 14, 1897	168
do	Geo. S. Weinright.....	July 13, 1897	240
do	Emma J. McCarthy.....	Dec. 28, 1897	168

Central Islip.**Class I.**

Chaplain.....	Henry F. Murray.....	Oct. 1, 1896	400
do.....	R. L. Brydg-s.....	Jan. 1, 1897	400

Class II.

Medical Superintendent.....	G. A. Smith.....	Feb. 25, 1892	2,500
Assistant Physician.....	Marcus B. Heyman.....	Jan. 12, 1895	1,200
do.....	C. G. Brink.....	Dec. 1, 1897	1,200
Junior Physician.....	Harry R. Humphries.....	Nov. 22, 1897	900
do.....	C. E. Norris.....	Dec. 1, 1897	900
do.....	Walter G. Ryan.....	Nov. 22, 1897	900
Medical Intern.....	Robert Mason.....	Aug. 9, 1897	600
Stenographer.....	Alice E. Cary.....	Aug. 3, 1896	450
Assistant Steward.....	E. J. Murray.....	Nov. 1, 1894	900
Storekeeper.....	Colin McLennan.....	Feb. 13, 1893	558
Chief Engineer.....	John H. Marshall.....	Feb. 1, 1889	1,200
Assistant Engineer.....	John C. Foth.....	Dec. 23, 1896	720
Assistant Electrical Engineer.....	F. B. Striker.....	Dec. 29, 1896	720

Class III.

Overseer of Stable.....	John P. Reilly.....	Feb. 25, 1896	600
Page Boy.....	Walter Brady.....	Aug. 15, 1895	180
do.....	William H. Eagan.....	Nov. 2, 1896	150
Supervisor.....	Michael Hickey.....	Feb. 9, 1896	420
do.....	Patrick Glynn.....	Aug. 30, 1892	420
do.....	William Bryson.....	Oct. 15, 1894	420
do.....	Patrick Kirby.....	Aug. 23, 1896	420
do.....	Maria O'Connor.....	Jan. 13, 1888	380
do.....	Teresa Smythe.....	Jan. 1, 1897	380
Housekeeper.....	Maria Turley.....	Mar. 1, 1887	300

Central Islip—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Watchman.....	Franklin J. Fellows.....	July 3, 1894	\$480
do	Michael J. McMahon.....	May 22, 1895	420
do	Thomas Nevin.....	July 18, 1894	420
do	Edward Parsons.....	May 27, 1892	420
do	John Boyle.....	July 9, 1894	420
do	Patrick Hackett.....	April 11, 1895	420
do	John Joyce.....	July 24, 1895	420
do	James Smythe.....	July 9, 1895	420
Fireman.....	John Reagan.....	Oct. 22, 1892	420
do	August Seifried.....	Sept. 10, 1895	420
do	James McGovern.....	Aug. 22, 1896	420
do	H. S. L'Hommedieu.....	Aug. 23, 1897	420
do	Henry O'Reilly.....	Nov. 13, 1897	360
do	Charles Freund.....	Oct. 23, 1897	360
Carpenter.....	James C. Crozier.....	Nov. 22, 1898	600
Mason.....	Patrick J. Kelly.....	Dec. 3, 1899	600
Plumber.....	James Callan.....	Jan. 24, 1899	720
Plumber's Helper.....	John A. McLaughlin.....	Mch. 1, 1897	252
do	Martin J. Sweeney.....	May 4, 1897	252
Herdsman.....	Joseph D. Naylor.....	April 1, 1897	300
Shoemaker.....	James Geary.....	Feb. 26, 1894	420
Head Farmer.....	Platt R. Hubbs.....	April 3, 1890	600
Farmer.....	Ellis L'Hommedieu.....	Jan. 6, 1896	300
do	Joseph Tucker.....	Sept. 18, 1896	300
Drayman.....	John McHugh.....	Feb. 24, 1890	420
Gardener.....	William Baird.....	Nov. 18, 1899	420
do	George W. B. Dow.....	April 11, 1896	420
do	Robert Gillis.....	Aug. 25, 1896	420
Florist.....	William Halton.....	May 8, 1896	420
Chef.....	Peter Benz.....	April 14, 1897	900
Head Cook.....	Arnold Von Gunten.....	May 1, 1896	420
do	Gustav Stehl.....	Aug. 1, 1897	420
do	Mary Seifried.....	Dec. 1, 1897	240
do	Lilly Sheridan.....	April 1, 1897	240
Baker.....	Thomas Miller.....	July 15, 1889	600
Meat Cutter.....	Michael McHugh.....	Mar. 19, 1896	420
Lineman.....	Oliver N. Whit'org.....	July 13, 1896	420
Head Laundress.....	Maggie O'Rourke.....	Aug. 6, 1894	300
Laundress.....	Teresa Reynolds.....	Aug. 19, 1897	180
Special Attendant.....	Simon J. Armstrong.....	Sept. 14, 1893	396
do	James McEllicott.....	June 19, 1892	396
do	John G. Walton.....	May 19, 1896	360
do	William Miller.....	May 27, 1890	384
do	John Crozier.....	Sept. 21, 1893	396
do	Rody Mahon.....	May 9, 1893	384
do	Michael McKeaveney.....	July 20, 1894	384
do	Robert H. Prichard.....	Oct. 8, 1892	384
do	George C. Turner.....	Sept. 16, 1895	372
do	Margaret Smyth.....	Oct. 3, 1895	300
do	Thomas Connors, Jr.....	July 20, 1895	360
do	Sidney S. Conklin.....	Nov. 1, 1897	360
do	Patrick Cronin.....	Dec. 1, 1897	360
do	Eugene Doyle.....	Dec. 1, 1897	360
do	Le Roy Rowland.....	Mar. 1, 1897	360
do	William Thompson.....	Dec. 1, 1897	360
do	James V. Walsh.....	Mar. 1, 1897	252
Attendant.....	Robert M. Shaw.....	June 5, 1896	300
do	Michael M. Tyrrell.....	June 26, 1896	312
do	Edward S. Brady.....	Nov. 6, 1896	300
do	Dennis Cantwell.....	Dec. 24, 1896	240
do	William Waddick.....	Oct. 18, 1896	300
do	Thomas C. Jones.....	Dec. 14, 1896	312
do	William Heimes.....	Sept. 15, 1896	240
do	Michael D. Nolan.....	Mar. 12, 1896	300
do	Dennis King.....	June 7, 1896	240
do	Patrick J. Howard.....	Aug. 13, 1896	240
do	Joseph E. Sadler.....	Dec. 21, 1896	240
do	Nicholas Reilly.....	June 14, 1895	324
do	Thomas McGath.....	Oct. 18, 1895	312
do	Victor Mildeuer.....	May 20, 1891	324
do	Thomas Morgan.....	April 17, 1896	300
do	Theodore H. Freund.....	Jan. 15, 1896	312

FIFTEENTH REPORT OF THE

Central Islip—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Henry E. Horsebach.....	June 24, 1895	\$285
do	John Richards.....	July 3, 1895	284
do	Thomas Connors.....	June 25, 1895	312
do	Kate Knowles.....	May 23, 1895	235
do	Georgiana Hamilton.....	July 31, 1895	240
do	Maggie Finneran.....	June 5, 1895	222
do	Margaret Day.....	April 18, 1895	275
do	Annie Quinn.....	Jan. 1, 1895	240
do	Margaret Donnelly.....	Nov. 12, 1895	168
do	Maria Donnellan.....	Mch. 23, 1895	240
do	Kate Gray.....	Aug. 6, 1895	168
do	Annie Farley.....	Dec. 14, 1895	240
do	Agnes Harper.....	Mch. 2, 1895	168
do	Mollie Elwood.....	Mch. 7, 1895	252
do	Joseph Bruce.....	Dec. 9, 1895	240
do	Cassimier Landewitz.....	July 3, 1895	300
do	William Grimes.....	June 7, 1895	240
do	Andrew McGrath.....	Sept. 18, 1895	240
do	James Maloney.....	May 8, 1895	300
do	James McGrath.....	Sept. 17, 1894	224
do	William Lucas.....	Dec. 14, 1895	240
do	Margaret Leimbach.....	Dec. 19, 1895	240
do	Martin McGrath.....	Aug. 28, 1895	312
do	James W. O'Neill.....	May 22, 1895	252
do	William T. Doran.....	May 1, 1895	300
do	Samuel Wilson.....	Dec. 9, 1895	240
do	William T. Norman.....	May 28, 1895	300
do	Annie Allan.....	Dec. 6, 1897	168
do	William Ashby.....	June 17, 1897	240
do	Hilda M. Bergdahl.....	June 18, 1897	168
do	Albion S. Blomgren.....	Oct. 4, 1897	240
do	P. J. Bradley.....	Mar. 6, 1897	240
do	Fritz V. Carlson.....	Aug. 2, 1897	240
do	Annie Casey.....	July 9, 1897	168
do	John Clift.....	Dec. 4, 1897	240
do	Grace H. Collins.....	June 18, 1897	168
do	Kate Collins.....	Mch. 4, 1897	168
do	M. Francis Creavan.....	May 3, 1897	240
do	Henry G. Davies.....	Oct. 22, 1897	240
do	Martin Deely.....	April 7, 1897	240
do	Josephine V. Dowdican.....	Dec. 2, 1897	168
do	Thomas Dunnigan.....	July 10, 1897	240
do	John Ferguson.....	Dec. 16, 1897	240
do	Wm. Fitzgibbon.....	Mar. 6, 1897	252
do	Francis G. H. Gher.....	May 14, 1897	240
do	Patrick Gunton.....	Dec. 9, 1897	240
do	Chas. H. Gardner.....	Nov. 11, 1897	240
do	Lizzie S. Holloway.....	July 1, 1897	168
do	Robert Hyndman.....	Dec. 21, 1897	240
do	William Jansen.....	Oct. 1, 1897	240
do	Anna Johnson.....	Oct. 8, 1897	168
do	John J. Kelly.....	Dec. 13, 1897	240
do	Albert G. A. Koch.....	Sept. 16, 1897	240
do	Ellen Leahy.....	July 7, 1897	168
do	Daniel J. McCann.....	Dec. 9, 1897	240
do	Agnes McDonald.....	Dec. 1, 1897	240
do	Charles McElroy.....	Dec. 3, 1897	240
do	Michael McGowan.....	Dec. 4, 1897	240
do	Robert Mather.....	April 14, 1897	240
do	Eliza J. Maxwell.....	June 21, 1897	168
do	Rose E. Michel.....	May 5, 1897	168
do	Gilbert Moreland.....	Sept. 20, 1897	240
do	John Murphy.....	July 15, 1897	240
do	John R. O'Donohue.....	Mar. 11, 1897	240
do	Edward A. O'Hara.....	July 10, 1897	240
do	Kate O'Shea.....	May 13, 1897	168
do	Charles E. Pattison.....	Dec. 13, 1897	240
do	Cecilia Peterson.....	Aug. 11, 1897	168
do	Frank Rhodes.....	Dec. 1, 1897	240
do	Joseph M. Rowan.....	Apr. 1, 1897	240
do	James S. Sargent.....	July 1, 1897	240
do	Edward Sheehan.....	Dec. 9, 1897	240

Central Islip—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Charles Sheridan.....	Feb. 8, 1897	\$340
do	Edward J. Smith.....	Dec. 22, 1897	340
do	James Stewart.....	Sept. 18, 1897	240
do	Jas. H. Wayland.....	April 22, 1897	240
do	Eugene D. Weidman.....	Mar. 12, 1897	240
do	Wilhelmina Wellman.....	Dec. 17, 1897	168
do	James F. Turley.....	Dec. 29, 1897	240
do	Patrick Mantom.....	April 1, 1897	300

St. Lawrence State Hospital, Ogdensburg.

Unclassified Service.

Manager.....	George Hall.....	Mar. 17, 1892	None
do	John Hannan.....	Mar. 17, 1892	None
do	William H. Daniels.....	May 8, 1895	None
do	F. P. Hazzard.....	Dec. 14, 1896	None
do	Mrs. Harriet P. Russell.....	Dec. 14, 1896	None
do	Mrs. Mary P. Averell.....	Dec. 14, 1894	None

Class I.

Treasurer.....	James M. Wells.....	Aug. 1, 1892	\$1,500
Attorney.....	George R. Malby.....	Sept. 27, 1897	1,200
Steward.....	William C. Hall.....	Dec. 1, 1890	2,000

Class II.

Medical Superintendent.....	William Mabon.....	Oct. 1, 1896	3,700
First Assistant Physician.....	Richard H. Hutchings.....	May 20, 1892	2,600
Second do	Warren L. Babcock.....	Sept. 1, 1895	1,600
Assistant Physician.....	E. M. Somers, Jr.....	Dec. 23, 1894	1,400
do	Walter H. Kidder.....	Sept. 20, 1895	1,300
Junior Physician.....	Sidney D. Wilgus.....	Oct. 1, 1895	1,000
do	W. Grant Cooper.....	Feb. 1, 1896	1,000
Woman Physician.....	Caroline S. Pease.....	Dec. 1, 1890	1,500
Medical Intern.....	Walter J. Howells.....	Apr. 12, 1895	600
do	Edward G. Stout.....	July 21, 1897	600
Apothecary.....	William J. Men.....	Nov. 3, 1891	630
Voucher and Treasurer's Clerk.....	Edith Ives.....	Aug. 1, 1892	534
Bookkeeper.....	Thomas Dineen.....	Sept. 7, 1892	930
Stenographer.....	Kate A. Taylor.....	Nov. 1, 1893	528
Matron.....	Kate A. Sherry.....	April 2, 1891	624
Storekeeper.....	J. Frank Mullen.....	Jan. 22, 1891	600
Assistant Electrical Engineer.....	John Carrin.....	Jan. 1, 1891	600
do	Oncean King.....	Jan. 1, 1891	570
Chief Steam Engineer.....	Willard J. Barnes.....	Aug. 25, 1897	1,260
Assistant Engineer.....	James O'Sell.....	Aug. 1, 1890	600
do	William Hughes.....	Nov. 1, 1891	600
do	Timothy McBride.....	June 1, 1891	600

Class III.

Chief Supervisor.....	Samuel Crable.....	Nov. 10, 1892	600
do	Mary J. Lambert.....	April 23, 1892	492
do	Charles Lockwood.....	Sept. 1, 1891	510
do	Amelia Lockwood.....	Sept. 1, 1891	480
do	Isabella Gahan.....	Feb. 19, 1892	384
Supervisor.....	Charles J. Locke.....	Sept. 1, 1897	420
Housekeeper.....	Annie Hollenbeck.....	Oct. 3, 1891	312
do	Rosalind Ives.....	Sept. 2, 1895	324
Chief.....	Jacob Haug.....	Aug. 5, 1893	900
Cook.....	Emerson Lawyer.....	Feb. 8, 1895	800
do	Patrick Kelly.....	June 17, 1892	300
do	Ralph Briggs.....	Feb. 22, 1895	300
Baker.....	Peter Bonin.....	Dec. 6, 1890	600

St. Lawrence State Hospital, Ogdensburg—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Assistant Baker	George E. Mea	Mar. 6, 1898	\$420
Meat Cutter	Roy N. Castle	Feb. 20, 1891	540
Laundry Overseer	George Midgeley	Oct. 12, 1891	600
Laundryman	John McKittrick	July 1, 1897	390
Lineman	J. Howard Da'zell	Jan. 1, 1896	420
Plumber and Steamfitter	Edward M. Stanton	Sept. 24, 1891	816
Plumber and Steamfitters' Helper	William Rankin	Aug. 31, 1891	360
do do	Edward S. Murphy	Nov. 10, 1892	360
do do	William T. Murphy	Dec. 7, 1894	384
do do	Edward Gaynor	April 1, 1895	384
Fireman	Henry Karr	Oct. 26, 1890	360
do	Walter Jones	Jan. 12, 1892	360
do	John Murphy	Oct. 1, 1893	360
do	Theodore Dessart	Oct. 16, 1893	360
do	Thomas Murray	Oct. 1, 1895	360
do	Patrick H. Mullady	Oct. 1, 1895	360
do	William Bruce	Oct. 1, 1895	360
do	Thomas Hall	Oct. 1, 1895	360
do	Fred Duquette	Oct. 1, 1895	360
do	William Town	Oct. 1, 1895	360
Head Carpenter	George Hensby	Feb. 1, 1892	750
Carpenter	Frederick Briggs	Sept. 1, 1892	680
Painter	T. H. Richards	Aug. 24, 1891	680
Tailor	Edward J. Conrad	May 24, 1894	576
Farmer	Charles Bartholomew	April 1, 1895	666
Dairyman	John Sloan	Jan. 1, 1891	570
Gardener	John F. Barton	Mar. 1, 1891	570
do	Martin D. Poulson	May 1, 1894	466
Watchman	Alonzo Smith	Jan. 7, 1895	480
Policeman	John McDonough	Mar. 6, 1893	420
Barber	Philip Martin	June 16, 1893	420
do	Earl D. Thomas	Sept. 15, 1891	408
Nurse	Margaret Hogan	Sept. 30, 1891	312
do	Mabel Waite	Sept. 28, 1893	300
do	Katherine Mooney	Oct. 31, 1893	288
do	Clara Franklin	Sept. 27, 1893	288
do	Christine McEwen	Aug. 16, 1893	300
do	Sarah J. Munn	Aug. 31, 1893	300
do	Mary S. McQuaig	Jan. 15, 1891	360
do	Margaret Orem	Sept. 21, 1898	348
do	Mary J. Phillips	Aug. 23, 1898	334
do	Anna D. Rowe	Sept. 11, 1894	288
do	Edward K. Brush	Jan. 18, 1891	848
do	Anna C. Brush	Sept. 1, 1897	240
do	Celia Moran	Mar. 1, 1891	300
do	Rosabel Edmondson	Aug. 13, 1894	264
do	Jennie Bancroft	July 27, 1897	240
do	Thomas E. Evans	Oct. 20, 1897	300
do	Harry F. Nanley	Sept. 1, 1897	300
do	Hattie L. Constine	Sept. 4, 1897	252
do	Jessie Smith	June 1, 1897	326
do	Margaret Cox	June 1, 1897	276
do	Gertrude Palmer	June 1, 1897	276
do	Harriet Kilroy	June 1, 1897	240
Special Attendant	Daniel McCarthy	June 8, 1893	372
do	Louis Mosier	Dec. 20, 1893	372
do	Nellie M. Ingram	Aug. 10, 1898	468
do	Frank W. Newton	Feb. 23, 1891	498
do	Meda Farmer	Jan. 11, 1898	354
do	Martin Sullivan	Sept. 11, 1893	372
do	William Lymburn	May 15, 1895	372
do	Archie Foye	Mar. 13, 1894	474
do	Robert Scott	Aug. 15, 1894	420
do	Daniel Leahy	Nov. 3, 1891	420
do	Bridget Ryan	Nov. 1, 1895	312
do	Harnet C. Murphy	Jan. 3, 1894	312
do	Eugene Flack	Apr. 1, 1893	468
do	J. Frank O'Marah	July 3, 1897	360
do	George Farmer	Jan. 11, 1893	360
do	Frank C. Custain	June 4, 1894	360
do	Mark Pashayan	May 1, 1897	360
Attendant	James G. Robinson	Sept. 28, 1895	252

St. Lawrence State Hospital, Ogdensburg—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Allen H. Wright	Dec. 14, 1896	\$252
do	William Barkley	Oct. 10, 1892	360
do	William McCormick	Sept. 17, 1894	288
do	Albert E. Hallett	April 4, 1895	300
do	James Fraughton	Sept. 1, 1894	300
do	Elmer Burke	Aug. 21, 1891	192
do	Benjamin F. Miller	April 16, 1894	312
do	John H. Murphy	April 15, 1892	336
do	Leslie F. Whitman	Aug. 30, 1897	300
do	William E. Murphy	June 2, 1896	276
do	George A. Powell	Oct. 9, 1896	264
do	Clinton H. Thompson	June 9, 1896	264
do	Michael Hayes	May 24, 1895	288
do	Frank E. Proctor	Aug. 24, 1896	264
do	George Bell	Oct. 18, 1895	324
do	Peter Doyle	Jan. 2, 1896	252
do	Charles Butterworth	May 27, 1894	264
do	Timothy McCormack	Jan. 8, 1896	276
do	Levi O. Abernathy	Jan. 4, 1893	300
do	William Mackey	Feb. 1, 1893	300
do	Henry Schoning	Mar. 27, 1894	324
do	Leonard J. Witherell	April 16, 1896	276
do	Edward Clarridge	May 4, 1896	276
do	William H. Lyman	Feb. 11, 1896	288
do	Michael Cotter	Nov. 6, 1896	276
do	Albert J. Brest	Sept. 24, 1894	300
do	Leon Ormiston	Nov. 4, 1896	264
do	Alvin McFadden	Nov. 5, 1896	264
do	Phillip McDermott	May 21, 1895	300
do	Francis Murphy	Jan. 22, 1894	288
do	William Covert	June 6, 1895	288
do	Guy R. Kelllogg	Jan. 10, 1896	276
do	Charles Ormiston	Nov. 24, 1896	264
do	John F. Elliott	May 8, 1894	288
do	Walter H. Miller	Aug. 6, 1896	276
do	Albert C. Drake	Sept. 8, 1896	300
do	John Halpin	Feb. 26, 1896	276
do	James H. O'Neill	Aug. 1, 1895	276
do	Harrison D. Miller	Sept. 27, 1895	288
do	Leonard Bartlett	May 1, 1894	288
do	William Scott	July 24, 1896	264
do	John O'Brien	Feb. 22, 1894	300
do	Harry M. Lent	June 15, 1895	288
do	Philip Hayes	April 6, 1896	276
do	Allen L. Welt	Mar. 31, 1896	276
do	William Beaman	Sept. 3, 1897	240
do	Edward H. Boukey	May 20, 1897	252
do	Chas. W. Chamberlain	Sept. 3, 1897	240
do	Frank B. Cooke	Oct. 6, 1897	240
do	Robert Crosby	June 1, 1897	252
do	Ertland H. Dollar	July 7, 1897	240
do	Burton A. Eldridge	June 1, 1897	240
do	Arthur Ellsworth	Jan. 20, 1897	240
do	John D. Ferris	April 1, 1897	276
do	Fred Furley	Feb. 14, 1897	252
do	Henri D. Godno	Feb. 8, 1897	264
do	James A. Holleran	Mar. 27, 1897	264
do	Jervis B. Lawrence	May 26, 1897	252
do	Edward Lovegrove	Oct. 1, 1897	240
do	William K. McManus	May 14, 1897	252
do	George L. Martin	Jan. 28, 1897	276
do	Edward T. Murphy	Dec. 9, 1897	312
do	Frank J. Reed	June 18, 1897	240
do	Alfred M. Scott	Nov. 10, 1896	240
do	Percy Scott	Nov. 19, 1897	240
do	Charles E. Smith	May 5, 1897	180
do	Burton L. Whitman	Oct. 6, 1897	240
do	Chas. Willard	Aug. 6, 1897	240
do	Franklin L. Worden	July 2, 1897	240
do	Lena Flack	Dec. 15, 1896	180
do	Julia E. McCormick	Dec. 5, 1895	304
do	Jaleah Haile	Dec. 17, 1896	180

St. Lawrence State Hospital, Ogdensburg—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Jennie E. Jerome	May 15, 1895	\$283
do	Kate Shean.....	Oct. 18, 1892	204
do	Martha Reilly.....	Jan. 1, 1895	216
do	Frankie Richardson.....	Sept. 28, 1896	192
do	Elizabeth Dixon.....	Sept. 30, 1896	192
do	Martha Bean, née Jardin ..	Jan. 3, 1895	204
do	Margaret Lawyer, née Foye	April 1, 1895	204
do	Anna M. Glas.....	Nov. 3, 1896	214
do	Nellie Monrieff.....	Oct. 30, 1893	204
do	Katherine Mahoney.....	Mar. 16, 1896	204
do	Mary Covert.....	Aug. 22, 1896	204
do	Carrie J. Drake.....	Sept. 20, 1896	204
do	Theresa Beau.....	Nov. 11, 1895	216
do	Minnie Dean.....	Feb. 24, 1896	216
do	Josephine Melhinch.....	July 15, 1896	192
do	Mary E. Duffy.....	Mar. 11, 1896	204
do	Caroline Van Arnum.....	Mar. 8, 1896	204
do	Ira G. Compton.....	Sept. 9, 1896	240
do	Elizabeth Beaman.....	July 18, 1896	240
do	Mary C. Murphy.....	Sept. 10, 1894	216
do	Katherine De Vise.....	May 6, 1896	204
do	Mary E. Stewart.....	July 27, 1895	216
do	Tina Colbourne.....	Nov. 19, 1895	252
do	Adelene Redington.....	Nov. 28, 1895	240
do	Catherine Conna.....	June 24, 1895	204
do	E. Juliette O'Hara.....	Oct. 21, 1895	204
do	Mary Mosier, née Briggs ..	May 28, 1895	204
do	Clara Briggs.....	July 31, 1895	204
do	Emma LeSalle.....	Sept. 16, 1895	216
do	Margaret Sweet.....	May 14, 1896	204
do	Mary Murphy, née O'Brien	Aug. 24, 1896	204
do	Lulu Nichols.....	Oct. 31, 1896	204
do	Margie Warner.....	May 20, 1895	216
do	Nettie Wilson.....	Mar. 31, 1896	240
do	Margaret Claridge, née		
do	Clancy.....	Mar. 21, 1896	204
do	Emma Larrabee.....	July 6, 1896	192
do	Adele Bradford.....	Sept. 28, 1897	168
do	Florence M. Vault.....	Oct. 6, 1895	204
do	Maud Graves.....	N. v. 10, 1896	204
do	Ira E. Wright.....	Dec. 4, 1895	204
do	Kittie W. Eastman.....	Jan. 8, 1896	264
do	Carrie S. Price.....	Feb. 6, 1896	204
do	Rachael Fox.....	Aug. 17, 1896	192
do	Minnie Hayes.....	June 3, 1896	192
do	Carrie Wood.....	Nov. 12, 1896	192
do	Mary E. Arden.....	July 30, 1895	228
do	Minnie Robertson.....	Mar. 4, 1896	228
do	Margaret McBhie.....	Mar. 21, 1895	228
do	Sarah Eaman.....	Oct. 5, 1895	252
do	Ella Smith.....	April 11, 1896	216
do	Hannah A. Flynn.....	Mar. 7, 1897	204
do	Ella LaRue.....	Aug. 27, 1895	216
do	Elmer Riddell.....	Sept. 7, 1897	264
do	Ella M. Wright.....	Sept. 2, 1895	272
do	Madge McDonald.....	Oct. 8, 1891	204
do	Kate Briggs.....	May 24, 1896	204
do	Florence Murphy.....	May 18, 1896	204
do	Anna Thomas.....	Dec. 15, 1890	264
do	Amy Scott.....	N. v. 9, 1896	192
do	Alice Wright.....	July 8, 1896	192
do	Lucinda Skinner.....	Oct. 12, 1894	228
do	F. Mae Kellogg.....	Feb. 26, 1896	204
do	Christina Elliott.....	April 17, 1891	260
do	Mary L. Traut.....	April 7, 1891	264
do	Toola M. Place.....	Feb. 20, 1891	228
do	Grace Ellsworth, née Castle	Dec. 6, 1892	228
do	Libbie Abernathy.....	Jan. 8, 1895	228
do	Anna G. DuBoise.....	Sept. 25, 1896	300
do	Lenora Pohlman.....	June 8, 1896	264
do	Lena J. Mackey.....	Aug. 8, 1896	264
do	Arna Ashley.....	Sept. 23, 1897	168

St. Lawrence State Hospital, Ogdensburg—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Lola Bouker.....	May 24, 1897	\$168
do	Clara A. Bradford.....	Oct. 8, 1897	168
do	Jesse J. Burnham.....	June 1, 1897	180
do	Josephine Callahan.....	Oct. 19, 1897	168
do	Etta Caswell.....	April 28, 1897	180
do	Eveleen Commins.....	April 28, 1897	180
do	Almira E. Cox.....	Aug. 27, 1897	168
do	Cora M. Crane.....	Mar. 1, 1897	180
do	Emma L. Creighton.....	Mar. 22, 1897	168
do	Elizabeth Derby.....	Oct. 20, 1897	168
do	Mary A. Downes.....	May 3, 1897	180
do	Orma Fetterly.....	Sept. 1, 1897	240
do	Lena M. Foye.....	Nov. 15, 1897	168
do	Minnie L. Fullerton.....	Dec. 16, 1897	168
do	Teresa Gaffney.....	Nov. 6, 1897	168
do	Clara G. Gates.....	June 17, 1897	168
do	Grace Goodale.....	Sept. 1, 1897	168
do	May A. Goodrich.....	Nov. 13, 1897	168
do	Nellie E. Henderson.....	Dec. 2, 1897	168
do	Ella L. Hinds.....	July 8, 1897	168
do	Anna L. Holland.....	Dec. 16, 1897	168
do	Carrie L. Hollenbeck.....	Sept. 9, 1897	168
do	Lula M. Kellogg.....	April 16, 1897	180
do	Etta Lalone.....	April 5, 1897	180
do	Mabel R. Lyman.....	Mar. 19, 1897	180
do	Mary McCullough.....	Nov. 15, 1897	168
do	Agnes McGhie.....	Dec. 2, 1897	168
do	Anna C. Magee.....	Sept. 21, 1897	168
do	Charlotte L. Maguire.....	Mar. 8, 1897	252
do	Harriet Marshall.....	May 18, 1897	180
do	Minnie J. Miller.....	Nov. 23, 1897	168
do	Ella Murphy.....	Feb. 13, 1897	180
do	Mary Murray.....	Aug. 23, 1897	168
do	Beaule Onkes.....	April 6, 1897	180
do	Mary A. O'Neill.....	Nov. 23, 1897	168
do	Margaret Phalon.....	Jan. 21, 1897	180
do	Edith M. Ray.....	Jan. 11, 1897	180
do	Libbie Robinson.....	May 1, 1897	180
do	Florence M. Rowe.....	Sept. 12, 1897	168
do	Anna E. Smith.....	Jan. 16, 1897	180
do	Lorena Smith.....	July 14, 1897	240
do	Margaret Townsend.....	Oct. 1, 1897	240
do	Amelia S. Tullock.....	Mar. 15, 1897	180
do	Aggie G. Valley.....	Aug. 9, 1897	168
do	Lavilla P. Walrath.....	July 31, 1897	168
do	Nina A. Wheeler.....	April 1, 1897	180
do	Blanche W. Wilson.....	Sept. 14, 1897	168
do	Ellen Howe.....	Nov. 12, 1897	168
do	Geo. A. Hicks.....	Mar. 10, 1897	240
do	Lillian Hicks.....	Mar. 10, 1897	168
do	Julia Duffy.....	Dec. 30, 1896	168
do	May Duffy.....	Dec. 24, 1896	168
do	Allen L. Hitchcock.....	Nov. 28, 1896	264
do	Henry Randall.....	Jan. 2, 1897	264
do	Mary A. McCartin.....	Aug. 3, 1897	168
Supervisor*	Donald E. MacDonald.....	Sept. 8, 1896	360

Hudson River State Hospital, Poughkeepsie.

Unclassified Service.

Manager	Frank B. Lown	Jan. 10, 1893	None
do	Eugene N. Howell	Mar. 7, 1894	None
do	Hudson Taylor	Jan. 10, 1893	None
do	Henry M. Taylor	Jan. 10, 1896	None
do	Myra Avery	Jan. 10, 1896	None
do	Catherine A. Newbold	Jan. 10, 1896	None
do	Lewis R. Parker	Jan. 10, 1896	None

*Supervisor only temporarily.

Hudson River State Hospital, Poughkeepsie—(Continued).

Class I.

Position.	NAME.	Date of entrance into position.	Compensation.
Treasurer.....	Allison Butts.....	July 1, 1890	\$1,500
Steward.....	D. Porter Lord.....	Dec. 31, 1885	2,000
Attorney.....	H. M. Taylor.....	Sept. 27, 1897	1,300

Class II.

Medical Superintendent.....	Charles W. Pilgrim.....	May 1, 1893	4,300
First Assistant Physician.....	J. Elvin Courtney.....	April 1, 1894	2,500
Second Assistant Physician.....	Charles H. Langdon.....	April 1, 1892	2,000
Assistant Physician.....	Isham G. Harris.....	Nov. 16, 1891	1,500
do.....	Thos. as E. Bamford.....	June 15, 1893	1,500
Junior Physician.....	J. O. Stranahan.....	April 1, 1897	900
do.....	Frederick T. Clark.....	Oct. 1, 1897	900
do.....	Frederick J. Mann.....	Jan. 1, 1896	900
Medical Interne.....	Clarence J. Slocum.....	July 28, 1896	600
Woman Physician.....	Emma Putnam.....	April 1, 1894	1,500
Apothecary.....	Howard E. Hoag.....	Sept. 14, 1891	600
do.....	Allura Harrington.....	Nov. 1, 1897	600
Bookkeeper.....	E. Lyman Brown.....	Sept. 1, 1889	1,050
Voucher and Treasurer's Clerk.....	William R. Wright.....	Jan. 26, 1886	720
Stenographer and Telegrapher.....	George R. Flinton.....	Oct. 1, 1893	980
Stenographer.....	Peter J. Gordon.....	July 1, 1893	698
Accountant.....	Charles J. Van De Mark.....	Jan. 25, 1886	950
Storekeeper.....	Charles S. Pitcher.....	Oct. 18, 1896	564
Assistant Electrical Engineer.....	James Smith.....	Aug. 22, 1890	840
do.....	Thomas Egan.....	Aug. 1, 1893	600
Chief Engineer.....	Louis J. Cobey.....	Jan. 1, 1897	1,260
Assistant Engineer.....	Edward W. Jewett.....	July 2, 1897	750
do.....	Paul Faivre.....	Oct. 9, 1894	720
do.....	John Shea.....	Jan. 5, 1880	810
do.....	Florence McAuliffe.....	Oct. 10, 1887	720
do.....	Patrick O'Hare.....	Jan. 1, 1887	720
do.....	Martin Delaney.....	Feb. 16, 1889	720
do.....	Garrett Buck.....	Nov. 10, 1888	720
do.....	Robert Cruthers.....	Sept. 10, 1889	600
do.....	John W. Rowman.....	Jan. 29, 1889	600
Master Mechanic.....	Edward Large.....	July 1, 1871	1,260

Class III.

Watchman.....	Daniel Sampson.....	April 13, 1897	420
do.....	William East.....	Oct. 5, 1893	420
do.....	Richard Horsfall.....	Jan. 23, 1892	510
do.....	Joseph Kender.....	May 25, 1892	510
Barber.....	John Sullivan.....	Jan. 23, 1893	456
Carpenter.....	Joseph Hale.....	April 14, 1887	660
do.....	John Nuhn.....	Aug. 16, 1893	600
do.....	John T. Morrissey.....	Oct. 1, 1893	600
do.....	James McLennon.....	July 3, 1890	600
do.....	William DeForest.....	April 29, 1891	600
do.....	William Tweedy.....	Oct. 1, 1894	720
do.....	Daniel Daley.....	Jan. 1, 1891	840
Plumber and Steamfitter.....			
Plumber's and Steamfitter's Helper.....	Patrick Convery.....	Jan. 1, 1896	490
Plumber's and Steamfitter's Helper.....	Herman Morschauser.....	Mar. 30, 1893	350
Painter.....	Patrick Limber.....	Oct. 1, 1893	720
Blacksmith.....	John Harmon.....	July 10, 1893	720
Lineman.....	John J. McCarthy.....	May 1, 1897	480
Mason.....	John Quigley.....	May 20, 1897	40c per hour
Shop Foreman.....	John Weiss.....	Aug. 11, 1897	\$540
Tailor.....	Robert Watts.....	April 25, 1894	516
Shoemaker.....	Conrad Neuner.....	Nov. 24, 1890	540
Head Farmer.....	Henry Dickinson.....	July 11, 1887	690
Farmer.....	Charles Peck.....	May 27, 1893	438
do.....	Clarence L. Vanderwater.....	Jan. 26, 1895	414
do.....	Charles Little.....	April 1, 1895	414
do.....	Gerard E. Traver.....	Aug. 11, 1890	450
Herdsmen.....	Jas H. Yates.....	May 22, 1894	336
Gardener.....	Peter Smith.....	Mar. 26, 1875	480

Hudson River State Hospital, Poughkeepsie—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Florist.....	Patrick H. Mahar.....	April 20, 1896	\$552
Housekeeper.....	Frances J. Van Antwerp.....	Dec. 1, 1895	324
do	Delia Disch.....	Sept. 9, 1893	312
Head Cook.....	Frank Klumpp.....	Mar. 28, 1895	510
do	Englebert Schaffer.....	Mar. 12, 1887	510
do	Adolphe Dollenmaier.....	May 14, 1897	480
Cook.....	Mrs. Elizabeth Neuman.....	Aug. 1, 1897	240
do	Mamie Galvin.....	Feb. 12, 1897	240
do	Mrs. Sadie Kelly.....	July 8, 1897	240
do	James McDowell.....	June 17, 1897	300
do	Alice A. Riddle.....	June 1, 1897	240
do	Ferdinand Touze.....	July 1, 1899	300
do	Adolph Dluhosch.....	Sept. 1, 1891	300
do	Margaret Rafferty.....	Dec. 27, 1895	300
do	Anna Sampson.....	Feb. 19, 1895	240
do	Anna McCarthy.....	July 15, 1886	240
do	Elizabeth J. Hynes.....	Feb. 4, 1896	240
do	Martha E. Stratton.....	April 8, 1895	240
do	Rosa Brady.....	Aug. 2, 1893	240
Baker.....	C. Fred Worch.....	May 14, 1896	660
Assistant Baker.....	Robert Valken.....	Sept. 15, 1896	420
Baker's Helper.....	Christ Beck.....	Nov. 15, 1897	240
do	Fred Suchy.....	Aug. 14, 1896	252
Meat Cutter.....	William C. Pugsley.....	Mar. 26, 1896	600
do	John Hopkins.....	Feb. 1, 1895	288
Laundry Overseer.....	Claude Valentine.....	Aug. 1, 1887	720
Lauderer.....	William P. Irwin.....	April 1, 1891	300
do	John Shay.....	Feb. 15, 1897	420
Head Laudress.....	Kittie McGrath.....	Aug. 21, 1878	300
Laudress.....	Mary Christie.....	Sept. 13, 1887	180
do	Mary E. Murray.....	July 18, 1888	180
do	Maggie Corcoran.....	June 4, 1894	180
do	Nora Murray.....	May 8, 1895	180
do	Catherine Leahy.....	Aug. 1, 1895	180
do	Nellie Havey.....	April 9, 1894	180
do	Mrs. Mary Ryan.....	Sept. 15, 1897	180
do	Julia C. Fitzgerald.....	June 15, 1897	180
do	Ellie Corcoran.....	June 4, 1894	180
Seamstress.....	Elizabeth Tynan.....	Sept. 1, 1897	168
Fireman.....	Michael J. Barry.....	Oct. 1, 1897	480
do	Thomas J. Cole.....	Oct. 9, 1894	600
do	Frederick A. Yates.....	Sept. 19, 1894	540
do	John Rice.....	Oct. 1, 1893	600
do	Daniel Cole.....	March 3, 1888	480
do	John Gibson.....	Dec. 1, 1895	600
do	Olin A. Bennett.....	Aug. 24, 1891	600
do	Joseph McKenzie.....	Nov. 19, 1896	600
Chief Supervisor.....	William H. Pills.....	June 27, 1872	600
do	Kate B. Riddle.....	Sept. 1, 1897	420
Supervisor.....	Grant F. Conrad.....	April 1, 1897	432
Nurse.....	John S. Kane.....	June 11, 1895	348
do	William H. Osborne.....	Jan. 24, 1893	348
do	John J. Whalen.....	April 15, 1890	348
do	John D. Mitchell.....	Aug. 9, 1893	348
do	Ida L. Bryant.....	April 12, 1886	336
do	Annie L. Morris.....	Dec. 13, 1892	288
do	Frederick E. Brome.....	June 1, 1897	300
do	John J. Kaname.....	June 1, 1897	312
do	John C. Theller.....	June 1, 1897	336
do	Nellie A. Doughty.....	June 1, 1897	240
do	Jessie I. Robinson.....	June 1, 1897	240
do	Laura S. Beltz.....	June 1, 1897	240
do	Mary L. Meighan.....	June 1, 1897	240
do	Julia E. Cleary.....	June 1, 1897	240
do	Jennie A. Hynes.....	June 1, 1897	240
do	Sarah R. East.....	June 1, 1897	300
do	Ella E. McCarthy.....	June 1, 1897	252
do	Thomas Louth.....	June 1, 1897	336
do	Alice Duffy.....	June 1, 1897	240
do	Barbara S. Curtis.....	June 1, 1897	252
do	Florence H. Campbell.....	June 1, 1897	240
do	Hattie M. Constine.....	June 1, 1896	288

Hudson River State Hospital, Poughkeepsie—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Nurse	Mary J. Keenan	Sept. 9, 1893	\$336
do	Augusta M. Hyatt	Jan. 31, 1895	288
do	Nellie Cummings	Sept. 7, 1895	288
do	Catherine E. Secor	Nov. 17, 1895	336
do	Walter V. A. Norris	Mar. 31, 1892	312
do	George Killen	Dec. 25, 1895	312
do	Soren P. Anderson	Sept. 6, 1895	312
do	George Looney	Oct. 19, 1896	312
do	Sarah Ward	Oct. 12, 1893	252
do	Emma Slater	Sept. 4, 1894	252
do	Lucy T. Doyle	Sept. 7, 1895	300
do	Ella T. Maher	Nov. 23, 1899	276
do	Sarah Morrow	Aug. 8, 1899	252
do	Nellie Fenton	Oct. 27, 1892	252
do	Gertrude Smythe	Oct. 10, 1893	252
do	Anna E. Weeks	Oct. 12, 1893	276
do	Julia F. St. John	Aug. 11, 1893	252
do	Mary E. Gilbride	Sept. 17, 1894	276
do	Josephine E. Osborne	Jan. 4, 1894	312
Attendant	Thomas J. Murray	Aug. 26, 1901	360
do	John Maguire	May 26, 1892	312
do	James Kelly	May 31, 1895	312
do	Thomas J. Disch	Sept. 26, 1893	348
do	Arthur W. Hammond	Oct. 22, 1892	336
do	John J. McManus	April 24, 1893	336
do	Charles W. Stone	Oct. 12, 1893	312
do	Sarah Bannon	July 18, 1893	276
do	Lillian J. Croft	July 17, 1891	288
do	L. Lillie Gray	Sept. 1, 1891	276
do	Mary E. Delaney	Dec. 7, 1894	252
do	Roderick McKenzie	Aug. 13, 1893	360
do	George J. Whalen	May 17, 1894	288
do	William P. Hopkins	Dec. 1, 1897	240
do	Frederick W. Maaten	April 1, 1894	288
do	James W. Major	July 31, 1896	264
do	James W. Scanlon	May 1, 1894	264
do	William Lyons	May 20, 1893	240
do	Thomas J. Driscoll	Mich. 4, 1896	276
do	Bruce Miller	Aug. 29, 1895	288
do	Alexander L. Salisbury	April 23, 1896	276
do	Michael Golden	May 1, 1895	288
do	Robert D. Hicks	Sept. 6, 1894	288
do	Charles Murphy	Oct. 12, 1896	264
do	Weston D. Ham	June 29, 1896	264
do	John Rooney	Sep. 24, 1894	288
do	John F. Beust	Aug. 28, 1896	264
do	Hugh Brady	July 13, 1896	264
do	John R. Meehan	Feb. 24, 1896	276
do	Charles M. McGill	Nov. 2, 1896	360
do	John McCall	Oct. 24, 1896	264
do	William T. Larimer	July 26, 1896	288
do	Patrick H. Brannigan	Aug. 5, 1894	288
do	John H. Dormer	Nov. 8, 1894	288
do	Stephen Taffe	July 6, 1896	264
do	Franklin A. Burke	Mar. 29, 1894	288
do	Preston W. Dolin	May 19, 1896	276
do	John H. Pierce	June 18, 1895	288
do	James F. Cole	Nov. 2, 1896	360
do	Edward L. Davis	Nov. 1, 1895	312
do	Ambrose Tynan	July 7, 1894	252
do	Nathaniel P. Decker	Sept. 7, 1894	288
do	James E. Davis	May 1, 1895	288
do	Edward F. Durnin	April 6, 1894	288
do	Cornelius P. Brinck	Feb. 14, 1893	288
do	Michael L. Gannon	June 1, 1893	276
do	Bernard F. Gilbride	Oct. 9, 1896	264
do	Arthur Smith	Feb. 19, 1895	288
do	James A. Hornbeck	Nov. 11, 1895	288
do	James P. Murtogh	May 12, 1894	288
do	John J. Skeahan	Dec. 8, 1894	276
do	Stephen B. Secord	May 27, 1892	264
do	Thomas P. Tynan	May 23, 1895	288

NEW YORK CIVIL SERVICE COMMISSION.

1107

Hudson River State Hospital, Poughkeepsie—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	James F. Farnan.....	Sept. 24, 1893	\$288
do.....	John J. McCann.....	Jan. 16, 1896	276
do.....	Lawrence Mingey.....	April 18, 1895	288
do.....	William J. McCann.....	Sept. 23, 1896	264
do.....	Matthew V. Baughan.....	July 16, 1896	264
do.....	Edgar Stratton.....	April 8, 1895	288
do.....	James Brady.....	July 19, 1893	276
do.....	James Baird.....	Oct. 12, 1896	264
do.....	James D. Galvin.....	April 9, 1896	276
do.....	John A. Bigelow.....	Nov. 24, 1890	288
do.....	Joseph Cray.....	Mch. 15, 1894	288
do.....	Irving Elghmy.....	May 2, 1896	276
do.....	Daniel Ryan.....	April 1, 1894	288
do.....	Barto H. Powell.....	Dec. 21, 1896	252
do.....	Andrew Cogan.....	July 1, 1896	336
do.....	Patrick E. Rooney.....	Oct. 1, 1889	360
do.....	William Griffin.....	May 26, 1895	360
do.....	Mary L. Reickle.....	April 23, 1896	204
do.....	Anna D. Ryan.....	Oct. 7, 1896	192
do.....	Wilmott Tribble.....	Oct. 19, 1896	192
do.....	Lizzie Simms.....	Aug. 30, 1895	216
do.....	Mary Doyle.....	June 23, 1884	192
do.....	Ada R. Bryant.....	Oct. 16, 1896	192
do.....	Jennie F. Whiter.....	April 23, 1896	204
do.....	Beatrice Waters.....	Feb. 9, 1896	204
do.....	Margaret C. Maher.....	April 8, 1895	216
do.....	Ida Slater.....	Aug. 22, 1895	216
do.....	Bridget L. Coggins.....	May 7, 1895	216
do.....	Ellen Roite.....	June 19, 1896	192
do.....	Cora Gaffey.....	May 26, 1896	216
do.....	Blanche T. Wigg.....	April 9, 1893	216
do.....	Mary Killen.....	Dec. 25, 1895	216
do.....	Rhona Morris.....	Oct. 21, 1895	216
do.....	Mary T. Maroney.....	Dec. 1, 1896	192
do.....	Kate Bergen.....	May 12, 1896	204
do.....	Father C. Doughty.....	Feb. 14, 1896	204
do.....	Mary C. Daley.....	Feb. 6, 1896	204
do.....	Margaret O'Connor.....	Dec. 11, 1895	216
do.....	Bertha O'Hare.....	Feb. 15, 1896	204
do.....	Lizzie Wagner.....	June 22, 1896	192
do.....	Mary McGuarn.....	Nov. 5, 1895	216
do.....	Alice McNulty.....	Nov. 1, 1895	216
do.....	Loretta C. McShayne.....	May 18, 1896	204
do.....	Grace Hendee.....	Jan. 3, 1894	216
do.....	Grace Brown.....	Dec. 17, 1894	240
do.....	Mary Barry.....	July 10, 1896	192
do.....	Fanny Stratton.....	Aug. 31, 1896	192
do.....	Ella Synett.....	Sept. 23, 1896	192
do.....	Mary E. O'Brien.....	Oct. 8, 1896	216
do.....	Louise A. Kane.....	May 31, 1896	264
do.....	Mary M. Durulu.....	April 6, 1894	288
do.....	Kate O'Shea.....	Aug. 28, 1893	216
do.....	Bridget Lowery.....	Aug. 5, 1895	216
do.....	Bertha Hinchey.....	Oct. 10, 1893	300
do.....	Annie C. Gilbride.....	Dec. 8, 1895	204
do.....	Minerva H. Starr.....	Feb. 27, 1894	228
do.....	Mary E. Kelly.....	Sept. 2, 1892	238
do.....	Kate Giblin.....	Mar. 20, 1894	240
do.....	Mary Fagan.....	Aug. 20, 1894	238
do.....	Jennie Mulharen.....	July 25, 1894	228
do.....	Anna Gutkowska.....	Feb. 5, 1894	228
do.....	Michael Connelly.....	Oct. 8, 1891	360
do.....	Frederick W. Coon.....	Oct. 2, 1894	360
do.....	Philip Dorland.....	Aug. 11, 1893	300
do.....	Joseph King.....	Oct. 11, 1893	360
do.....	John J. Draney.....	April 29, 1895	360
do.....	Reuben W. Bennett.....	Feb. 11, 1893	360
do.....	James H. Powell.....	Feb. 20, 1895	300
do.....	William F. Burke.....	July 1, 1894	360
do.....	Rose M. Gilmartin.....	April 4, 1895	216
do.....	Mary Dillon.....	Mar. 1, 1895	228
do.....	Lizzie Baughan.....	Oct. 22, 1896	204

Hudson River State Hospital, Poughkeepsie—(Continued).

Class III—(Continued).

Position	NAME.	Date of entrance into position.	Compensation.
Attendant.	Marion Whalen	Oct. 4, 1895	\$216
do	Susie Miller	Dec. 18, 1895	204
do	Annie Dolin	June 18, 1896	204
do	Ida B. Beust	Nov. 9, 1896	192
do	Annie Brinley	July 24, 1897	188
do	Daisy M. Christian	Aug. 10, 1897	188
do	Margaret Comerford	Feb. 15, 1897	192
do	Hattie Coons	July 20, 1897	168
do	Edith L. Deyo	Aug. 23, 1897	168
do	Florence Duffy	July 19, 1897	168
do	Grace Dye	Sept. 2, 1897	168
do	Julia Fagan	April 18, 1897	180
do	Barbara A. Gass	Mar. 13, 1897	180
do	Sarah M. Gavin	June 21, 1897	184
do	Lettie S. Griffith	Jan. 20, 1897	180
do	Esther Hansen	Oct. 28, 1897	168
do	Annie Hayden	Dec. 1, 1897	168
do	Mamie Hayes	Oct. 14, 1897	168
do	Henrietta Houghtaling	June 14, 1897	168
do	Eva Hurth	Sept. 16, 1897	168
do	Lizzie Johnston	Aug. 24, 1897	168
do	Anna Mahar	Nov. 9, 1897	168
do	Cora J. Myers	Sept. 16, 1897	168
do	M. Lavilla Nicholson	Jan. 6, 1897	180
do	Margaret L. O'Mahoney	July 15, 1897	168
do	Mrs. Carl G. Seierup	Oct. 2, 1897	168
do	Susan Skeahan	Jan. 22, 1897	180
do	Helen B. Skinner	May 10, 1897	180
do	Johanna F. Stiefvater	Mar. 16, 1897	196
do	Mate Tole	June 25, 1897	168
do	Violet Vanderburgh	Aug. 28, 1897	168
do	Catherine McManus	Mar. 1, 1897	252
do	William J. Bagnell	Nov. 8, 1897	240
do	Frederick Boyce	Sept. 15, 1897	240
do	John Brinley	April 19, 1897	252
do	Cornelius Crowley	Oct. 14, 1897	240
do	William J. Davis	Jan. 18, 1897	240
do	Mitchell Dealey	May 11, 1897	252
do	Alva Dedrick	April 6, 1897	252
do	Ferdinand Deichelman	Mar. 25, 1897	252
do	George W. DeLacey	April 2, 1897	252
do	Parsons V. Dormer	May 17, 1897	252
do	John F. Dougherty	April 15, 1897	252
do	Arthur Draney	June 23, 1897	240
do	William Friel	Aug. 24, 1897	240
do	Alfred L. Gay	Oct. 19, 1897	240
do	Richard S. Grise	Sept. 15, 1897	240
do	Matthew Hanagan	June 26, 1897	240
do	Carl F. E. Hansen	Oct. 28, 1897	240
do	Thomas Hayes	July 19, 1897	240
do	John W. Hyland	Sept. 30, 1897	240
do	John Kane	Jan. 4, 1897	252
do	Gary W. R. Kelly	July 3, 1897	240
do	Edward L. Kelly	Nov. 16, 1897	240
do	William M. Kennedy	June 19, 1897	240
do	Lucius Keyser	Oct. 12, 1897	240
do	Edward M. McDonnell	July 19, 1897	240
do	Eugene McLaughlin	April 27, 1897	264
do	John J. Mahar	Dec. 2, 1897	240
do	Philip McElroy	Sept. 6, 1897	240
do	George Matthies	Oct. 18, 1897	240
do	Isaac L. Melhad	Sept. 21, 1897	240
do	Thaddeus W. Moore	Dec. 3, 1897	240
do	Michael J. Nilon	July 19, 1897	240
do	William Noxon	Oct. 25, 1897	240
do	John Powers	May 12, 1897	252
do	Randelis K. Savvas	Feb. 1, 1897	264
do	John Seeholzer	April 18, 1897	252
do	Carl G. Seierup	Oct. 29, 1897	240
do	Anthony J. Smith	Jan. 6, 1896	252
do	Patrick Steele	Jan. 23, 1897	240
do	Charles S. Taton	July 19, 1897	240

Hudson River State Hospital, Poughkeepsie—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	James Tynan	Nov. 1, 1897	\$360
do	Richard Whalen	April 12, 1897	252
do	John Dillon	Dec. 21, 1897	252
do	Royal E. Allen	Dec. 28, 1897	252
do	Milton Sauermilch	Dec. 29, 1897	252
do	James Morris	Nov. 1, 1897	240
Special Attendant.....	Howard E. Quick	April 6, 1892	430
do	Helen F. McGregan	July 5, 1893	348
do	Henrietta Lounsberry	May 17, 1894	336
do	Sophie Ganthier	Jan. 23, 1891	360
do	Matie Jeffery	April 3, 1894	312
do	John F. Galvin	April 15, 1896	372
do	Robert A. Coon	June 8, 1895	474
do	Stephen J. Finnegan	July 11, 1894	504
do	James Burns	June 7, 1893	532
do	Daniel A. Maloney	May 1, 1894	596
do	Gustave Schreyer	June 21, 1894	420
do	William O. Wheeler	Sept. 12, 1896	420
do	Charles Scales	Sept. 23, 1897	360
do	Hannah C. Trapp	Nov. 1, 1897	300
do	Theodore Bromley	April 6, 1897	360

State Hospital, Rochester.

Unclassified Service.

Manager	Frederick Cook	Mar. 17, 1892	None
do	Thomas A. O'Haire	Mar. 17, 1892	None
do	George Raines	April 19, 1892	None
do	William Miller	Mar. 17, 1892	None
do	C. G. Starkweather	Jan. 20, 1895	None
do	Jane E. Rochester	April 3, 1895	None
do	Mrs. R. H. Graham	April 25, 1894	None

Class I.

Treasurer	F. P. Allen	July 1, 1891	\$1,500
Chaplain	J. Ross Lynch	July 1, 1891	300
do	John P. Stewart	July 1, 1891	300
Attorney	James M. E. O'Grady	Sept. 27, 1897	1,200
Steward	W. S. Remington	July 1, 1891	2,000

Class II.

Superintendent	E. H. Howard, M. D.	April 1, 1885	4,500
First Assistant Physician.....	E. B. Potter, M. D.	May 1, 1883	2,500
Second do do	F. Packer, M. D.	June 1, 1893	1,700
Woman Physician.....	E. P. Ballantine, M. D.	July 1, 1891	1,500
Junior Physician.....	C. T. La Moure, M. D.	Sept. 4, 1894	1,100
Bookkeeper	E. R. Quackenbush	Dec. 14, 1891	644
Stenographer	Jessie McAnn	Sept. 1, 1897	480
Matron	M. E. May	July 1, 1891	720
Storekeeper	James W. Sullivan	July 1, 1891	576
Electrical Engineer.....	Joseph Cook	July 1, 1891	720
Steam and Mechanical Engineer.....	George Hennegan	Sept. 30, 1893	1,200
do do do	Edward Finnerty	July 1, 1891	600

Class III.

Supervisor	David Ballagh	July 1, 1891	600
do	Julia Keyes	July 1, 1891	540
Shop Foreman	George H. Thompson	April 1, 1897	840
Baker	Charles Ulrich	Dec. 1, 1897	600
Barber	Jacob Deitz	Feb. 1, 1897	360
Meat Cutter	C. C. Wood	Dec. 1, 1897	480

State Hospital, Rochester—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Mechanic	Frank Robb	July 1, 1891	\$480
do	John Michel	July 1, 1891	680
do	Lewis Van Valkenburg	July 1, 1891	600
Farmer	Cornelius Sullivan	July 1, 1891	600
Watchman	Martin Lannon	July 1, 1891	420
Cook	Josephine Tullius	July 1, 1891	480
do	Anna Bray	May 1, 1895	180
do	Rose Kane	July 1, 1894	240
do	Etta Blanchard	July 1, 1895	240
Head Laundress	Agnes Weigand	July 1, 1891	800
Laundress	Abbie Bishop	Sept. 22, 1896	180
Laundrer	George Coates	July 1, 1891	800
do	A. R. Stratton	June 20, 1896	800
Fireman	William E. Scott	July 1, 1891	480
do	Lyman W. Davis	Sept. 17, 1894	480
Tailor	Otto Alber	Sept. 2, 1891	540
Shoemaker	Edward Swartelle	Jan. 1, 1896	504
Painter	Stephen H. Farrell	Sept. 1, 1893	384
Dressmaker	Kate Ballagh	July 1, 1891	348
Tailoress	Ella Lansing	July 30, 1891	324
Herdsmen	John Sullivan	May 1, 1893	348
Gardener	William Kuhn	June 12, 1894	432
Florist	Charles F. Muhlbeyer	April 1, 1895	504
Special Attendant	Nellie Bray	Feb. 1, 1897	360
do	Arthur E. Bowerman	Feb. 19, 1894	384
do	Maggie Van Valkenburg	Aug. 23, 1891	324
do	John L. Budlong	May —, 1896	872
do	George Clickner	May 1, 1897	366
do	Etta K. White	Jan. 1, 1897	348
Office Attendant	E. K. Wadsworth	Jan. 1, 1897	288
Nurse	Lyman D. Strong	April 25, 1893	348
do	Francis Baird	Oct. 19, 1893	384
do	Julia Strong	May 23, 1892	312
do	Samuel W. Long	May 26, 1894	384
do	Daniel McAnn	May 1, 1897	300
do	Joshua Molyneaux	May 1, 1897	300
do	Danforth Budlong	June 1, 1897	300
do	Ernest J. Broadbridge	Sept. 12, 1893	312
do	Fred Anderson	May 24, 1893	336
do	Wilbert Snider	Aug. 18, 1891	384
do	George E. Ingraham	June 23, 1893	384
do	John W. Guinan	July 1, 1891	306
do	George E. Bennett	Oct. 19, 1893	384
do	John C. Anderson	Aug. 23, 1893	324
do	Louis J. Sullivan	May 6, 1893	360
do	Eliza J. Coyne	Sept. 1, 1895	384
do	Carrie Albecker	July 25, 1891	324
do	Hannah Sullivan	Sept. 11, 1893	252
do	Agnes Connor	Dec. 1, 1892	252
do	Mary A. Budlong	July 27, 1893	276
do	Mary McAnn	July 1, 1891	252
do	Kittie M. Meagher	Feb. 19, 1894	264
do	Francis D. Morley	April 12, 1894	336
do	Thirza E. Howland	Sept. 11, 1893	264
do	Mattie Tooley	Feb. 28, 1894	264
do	Nellie Atkinson	July 1, 1891	324
do	Margaret Desmond	Sept. 6, 1893	252
do	Mary E. Connor	April 25, 1893	264
do	Dora Longfellow	July 1, 1891	348
do	Anna E. Anderson	Oct. 1, 1891	312
do	Minnie McGrath	Dec. 29, 1893	252
do	Georgiana Flindall	June 23, 1893	276
Attendant	George Iyre	April 1, 1896	276
do	William H. Plant	Oct. 1, 1896	264
do	Wilberforce Davis	July 1, 1891	300
do	Levi V. Locklin	April 1, 1896	276
do	James H. Cameron	June 1, 1896	276
do	Patrick Sheridan	April 12, 1894	288
do	Frank Clifford	April 1, 1895	300
do	Samuel W. Bonner	Feb. 15, 1897	252
do	John J. Coughlin	Sept. 1, 1897	240
do	William G. Cloverdale	Oct. 6, 1897	240

NEW YORK CIVIL SERVICE COMMISSION.

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State Hospital, Rochester—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Fred W. Gerlach.....	Jan. 25, 1897	\$264
do	William Popp.....	Dec. 6, 1897	240
do	Carrie Bennett.....	Feb. 1, 1897	204
do	Lizzie H. Wagner.....	Aug. 1, 1893	216
do	Mary E. Mullane.....	Sept. 6, 1892	252
do	Rose Bonner.....	June 1, 1896	204
do	Lena Twardokus.....	Feb. 1, 1895	216
do	Julia D. Enright.....	Nov. 1, 1892	240
do	Barbara L. Grebe.....	Dec. 1, 1895	216
do	Jennie B. Gibson.....	Oct. 1, 1896	192
do	Lizzie Fitzgerald.....	Dec. 1, 1895	216
do	Anna Grebe.....	Dec. 1, 1895	216
do	Julia McGrath.....	Aug. 1, 1893	228
do	Christine E. Mason.....	Oct. 21, 1891	216
do	Mary B. Nichols.....	Dec. 1, 1895	216
do	Nora L. Harris.....	May 1, 1885	216
do	Mary Montgomery.....	Oct. 1, 1896	180
do	Nellie Farley.....	July 1, 1896	216
do	Lethesia Feehan.....	Oct. 1, 1897	168
do	Bertha E. McArthur.....	Aug. 1, 1897	192
do	Catherine McMillan.....	Feb. 18, 1897	180
do	Anna Michel.....	July 1, 1891	228

State Hospital, Utica.

Unclassified Service.

Manager.....	W. Stuart Walcott.....	Dec. 2, 1896	None
do	Thomas F. Baker.....	Dec. 2, 1896	None
do	George E. Dunham.....	Dec. 2, 1896	None
do	John W. McLean.....	Dec. 2, 1896	None
do	Charles S. Symonds.....	Dec. 2, 1896	None
do	Mrs. Lizzie W. Constable.....	Dec. 2, 1896	None
do	Mrs. Marietta D. Coxie.....	Dec. 2, 1896	None

Class I.

Treasurer.....	Harry S. Patten.....	Feb. 4, 1893	\$1,500
Attorney.....	James S. Sherman.....	Sept. 27, 1897	1,200
Steward.....	John R. James.....	Jan. 11, 1887	2,000

Class II.

Medical Superintendent.....	G. Alder Blumer.....	Dec. 14, 1886	4,500
Physician.....	H. L. Palmer.....	Oct. 11, 1893	2,100
do	Walter C. Gibson.....	Oct. 10, 1894	1,600
do	George H. Torney, Jr.....	June 22, 1896	1,200
Junior Physician.....	Henry L. K. Shaw.....	July 12, 1897	900
Woman Physician.....	Clara Smith.....	May 15, 1891	1,500
Apothecary.....	Charles J. Zipp.....	Nov. 29, 1895	504
Matron.....	Emma Barker.....	Oct. 1, 1887	600
Stenographer and Proofreader.....	Rees P. Pughe.....	June 1, 1889	1,080
Stenographer.....	Henry Duckett.....	Aug. 23, 1889	624
Bookkeeper.....	Joseph Aldridge.....	June 12, 1895	1,128
do (Voucher Clerk).....	F. A. Housiker.....	July 12, 1897	480
Accountant.....	Charles A. Mosher.....	Oct. 15, 1889	1,224
Storekeeper.....	Pugh R. Price.....	April 12, 1889	504
Chief Engineer.....	Edward Hungerford.....	Oct. 27, 1890	1,200
Electrical Engineer.....	V. C. Wyune.....	Feb. 15, 1895	960
Assistant Electrical Engineer.....	Johnson G. Somers.....	April 18, 1887	600
do	Frederick T. Cono.....	Nov. 24, 1890	480
Master Mechanic.....	Charles W. Metz.....	July 1, 1890	1,200

Class III.

Chief Supervisor.....	Fred C. Smith.....	July 23, 1889	600
do	Amy Sterling.....	June 12, 1887	540
Supervisor.....	Fred Dillon.....	May 2, 1888	456
do	Helen Gawkins.....	Oct. 12, 1892	480

State Hospital, Utica—(Continued).

Class III—(Continued).

Position	NAME.	Date of entrance into position.	Compensation.
Head Cook.....	Simon S. Hahn.....	Feb. 12, 1893	\$480
do	Levi D. Vining.....	Oct. 1, 1893	480
do	John Burkhard.....	Dec. 1, 1894	480
Baker.....	Chris Reiss.....	April 17, 1879	600
Assistant Baker.....	Herman Young.....	April 6, 1896	480
Meat Cutter.....	Charles Hunzinger.....	Mar. 30, 1893	480
Laundry Overseer.....	Gifford A. Williams.....	Sept. 15, 1890	600
Head Laundress.....	Eliza Watson.....	Aug. 12, 1873	300
Laundress.....	L. A. Cole.....	June 24, 1896	300
do	Sarah Robertson.....	Dec. 9, 1892	180
do	Norah Harty.....	Sept. 2, 1885	180
do	Rebecca Zipp.....	April 1, 1895	180
do	Sarah Saunders.....	April 5, 1892	180
do	Mary E. Pugh.....	July 3, 1897	180
do	J. Kate Doyle.....	Aug. 1, 1897	180
Fireman.....	John Graham.....	April 26, 1884	480
do	Edward Hendrick.....	June 30, 1888	480
do	Joseph H. Roberts.....	Sept. 8, 1892	480
do	George A. Grant.....	Nov. 25, 1891	480
do	John Clarke.....	Nov. 1, 1894	480
do	Fred H. Ellsworth.....	Oct. 1, 1894	480
Carpenter.....	William Demler.....	Aug. 19, 1892	600
do	Edgar J. Greenhill.....	May 19, 1893	600
do	Jacob Maus.....	May 1, 1893	600
Painter.....	Henry J. Kellar.....	Oct. 27, 1882	600
Foreman.....	John Hughes.....	Nov. 23, 1892	900
do	William J. Downs.....	Feb. 1, 1896	540
Tailor.....	Judson S. Coonrod.....	Aug. 1, 1892	540
Shoemaker.....	John C. Frey.....	Jan. 25, 1887	540
Head Farmer.....	Seth Russell.....	April 14, 1886	600
Dairyman.....	William Pritchard.....	Feb. 17, 1886	480
Gardener.....	Daniel Doody.....	Sept. 14, 1896	425
do	John Beck.....	May 16, 1892	425
Florist.....	John M. Matti.....	April 25, 1884	540
Printer.....	Augustus W. Phillips.....	Jan. 12, 1896	600
Bookbinder.....	Edward Utting.....	May 25, 1889	600
Plumber.....	Herbert E. Austin.....	May 1, 1888	720
Ruler.....	F. A. Dullin.....	Feb. 15, 1895	\$2 50 per day
Mason.....	Jacob Kopp.....	April 15, 1887	3 00 per day
Tinsmith.....	Frederick Tyler.....	May 3, 1889	2 25 per day
Policeman.....	James Mulhern.....	May 16, 1883	\$420
Barber.....	William Diefenbeck.....	July 25, 1889	480
Combmaker.....	J. H. Murtaugh.....	July 27, 1897	300
Nurse.....	Charles Müller.....	April 14, 1893	248
do	Rose C. O'Connor.....	Dec. 26, 1890	224
do	Peter McHugo.....	April 2, 1888	295
do	Thomas H. Kelly.....	June 17, 1890	284
do	Hugh Fahy.....	May 26, 1891	284
do	William Shofer.....	May 6, 1889	284
do	George H. Lee.....	Sept. 9, 1889	295
do	Thomas H. Quigley.....	May 10, 1892	248
do	William Concannon.....	Mar. 6, 1888	295
do	Sidney H. Idzinga.....	June 5, 1894	300
do	Amy Mason.....	Aug. 19, 1889	212
do	Pauline Klein.....	June 12, 1887	236
do	Elizabeth Judge.....	Feb. 1, 1894	212
do	Belle M. Lambert.....	Feb. 4, 1892	228
do	Frances S. White.....	Oct. 28, 1892	228
do	Florence McGrath.....	May 7, 1889	228
do	Nellie M. Waldron.....	Jan. 15, 1887	228
do	Mary A. Lee.....	Aug. 23, 1893	300
do	Celia J. Hooper.....	Mar. 17, 1891	234
do	John M. Sewell.....	Mar. 26, 1895	260
do	Mary McClelland.....	Aug. 1, 1892	228
do	William A. DeVolt.....	Mar. 23, 1893	228
do	Benjamin Whitaker.....	Jan. 12, 1893	228
do	Newton Shumaker.....	Mar. 21, 1894	228
do	John J. Kelly.....	Sept. 18, 1893	224
do	Maldee C. George.....	Nov. 9, 1894	252
do	Agnes L. Davenport.....	June 8, 1893	276
do	Wilhelmina Gierman.....	Dec. 5, 1894	252
do	Mary J. Lally.....	April 25, 1893	276

State Hospital, Utica—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Nurse	Elizabeth Butler	Feb. 25, 1897	\$253
do	Anna K. Blust	May 9, 1892	253
do	Mary W. Hughes	Aug. 15, 1893	264
do	Bertha G. Leard	Nov. 20, 1893	264
do	Annie Cambridge	Oct. 3, 1892	264
do	Thomas L. Jones	Mar. 4, 1896	300
do	Nellie F. Wheeler	Oct. 18, 1894	240
do	Margaret E. Dunnigan	Jan. 31, 1894	240
Special Attendant	Emma Bauer	Feb. 18, 1890	312
do	Fred. J. Shofer	June 1, 1887	420
do	Walter S. Scott	Aug. 15, 1891	372
do	Sherman W. Jones	Sept. 10, 1894	396
do	Phoebe Jones	Sept. 10, 1894	336
do	Etta Leonard	May 25, 1883	360
do	Sarah J. Dodge	Sept. 18, 1856	360
do	Frances Breitling	Mar. 31, 1892	312
do	John D. Noronman	April 16, 1894	600
do	Richard Jones	Aug. 24, 1896	372
do	Martin Jensen	Sept. 20, 1892	420
do	Roscoe C. Ferguson	April 12, 1897	360
do	Clarendon Howe	May 1, 1897	360
do	Charles M. Dagwell, Jr.	Dec. 20, 1897	360
do	George W. Graham	Dec. 20, 1897	360
do	James A. Hill	Dec. 13, 1897	360
Attendant	Frank J. Allen	June 19, 1896	264
do	John H. Geiger	Feb. 1, 1896	276
do	Arthur P. Geary	Oct. 1, 1896	264
do	William J. Hackett	Jan. 1, 1895	288
do	John R. Roberts (No. 1)	June 25, 1893	288
do	William H. Jones	Sept. 3, 1896	264
do	Joseph G. Gantner	Mar. 6, 1896	276
do	Owen McNally	Oct. 10, 1892	300
do	Joseph J. Gill	May 10, 1894	288
do	Thomas H. Dooling	April 20, 1896	276
do	Nicholas McCarthy	Sept. 1, 1896	264
do	William R. Griffiths	June 1, 1896	288
do	James D. Maloney	Dec. 31, 1896	252
do	John Somers	Aug. 24, 1878	372
do	Robert E. Davis	Oct. 26, 1892	288
do	James Lynn	Jan. 28, 1885	324
do	Frank P. McIntyre	June 1, 1892	336
do	Frederick Edwards	Jan. 14, 1896	288
do	G. L. Brouner	Nov. 11, 1897	240
do	George A. Cooper	May 19, 1897	240
do	Joseph W. Dempsey	Mar. 1, 1897	252
do	Wm. C. Gallman	July 5, 1897	240
do	Robert E. Griffiths	Sept. 6, 1897	240
do	Matt H. Hough	Feb. 22, 1897	252
do	George E. Jacobs	Oct. 26, 1897	240
do	C. J. Murtaugh	Aug. 30, 1897	240
do	Arthur B. Phillips	Sept. 6, 1897	240
do	William Roberts	April 1, 1897	252
do	Fred B. Smith	July 27, 1897	240
do	John M. Snyder	Feb. 15, 1897	252
do	John M. Wankel	Feb. 10, 1897	252
do	Henry C. Waterman	June 21, 1897	240
do	Warren D. Waterman	April 2, 1897	252
do	Michael J. Widtman	Feb. 22, 1897	252
do	William J. Wier	Jan. 4, 1897	252
do	James Wright	Dec. 2, 1897	240
do	Cornelia A. Waldron	July 18, 1888	288
do	Margaret Gorman	Oct. 1, 1889	300
do	Kittie Gorman	Oct. 9, 1895	216
do	Mary E. Lafferty	Mar. 2, 1896	204
do	Permilla B. Wheeler	April 30, 1896	192
do	Emma A. Ellsworth	Dec. 23, 1893	216
do	Ann Griffiths	June 4, 1894	216
do	Maggie H. Jones	Feb. 2, 1894	216
do	Mabel R. Lambert	Sept. 8, 1894	216
do	Mary H. Ashley	Dec. 25, 1896	180
do	Alice F. Braitmayer	Dec. 28, 1896	180
do	Elizabeth A. Hughes	April 23, 1896	216

FIFTEENTH REPORT OF THE

State Hospital, Utica—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Lizzie E. Roberts.....	May 30, 1892	\$216
do	Elizabeth E. Thomas.....	May 8, 1895	216
do	Susan B. Burberry.....	Oct. 15, 1895	192
do	Mary J. Geary.....	Nov. 2, 1895	216
do	Nellie McCann.....	Oct. 29, 1895	216
do	Alice A. Russell.....	April 24, 1896	192
do	Sara McQuham.....	June 30, 1896	204
do	Mary E. Waterman.....	April 22, 1896	228
do	Lizzie Rowlands.....	Sept. 30, 1893	204
do	Isabelle D. Miller.....	Mar. 18, 1895	228
do	Katherine F. Meade.....	Mar. 2, 1896	204
do	Edna F. Howland.....	July 7, 1896	204
do	Ella McCormick.....	Feb. 29, 1894	216
do	Anna M. Waldron.....	June 5, 1895	216
do	Kate Tiernan.....	Feb. 11, 1896	204
do	Nellie G. Lawrence.....	Aug. 28, 1896	192
do	Mary Johnson.....	Mar. 7, 1899	216
do	Lena M. Gruman.....	May 8, 1896	192
do	Mamy Mellington.....	Mar. 14, 1896	204
do	Anna Koerbel.....	May 1, 1896	204
do	Clara A. Jacobs.....	Oct. 29, 1895	204
do	Nellie Mason.....	Oct. 6, 1896	192
do	Sarah Sterling.....	Feb. 9, 1894	216
do	Helen C. Fisher.....	Dec. 20, 1899	216
do	Jane Magill.....	Apr. 1, 1892	216
do	Hannah Law.....	Oct. 9, 1893	216
do	Jennie Breton.....	Mar. 14, 1893	216
do	Helen Cameron.....	Apr. 18, 1896	168
do	F. J. Dunn.....	May 1, 1897	240
do	J. R. Miller.....	Apr. 16, 1897	228
do	Grace B. Atkins.....	May 4, 1897	180
do	Carrie L. Andrus.....	Aug. 9, 1897	168
do	Amelia V. Barden.....	May 10, 1897	180
do	Minnie H. Barron.....	Feb. 1, 1897	180
do	Lila Cooper.....	Nov. 29, 1897	180
do	Emily M. Edie.....	May 21, 1897	180
do	Mary E. Garvey.....	Aug. 16, 1897	168
do	N. Belle Greenia.....	Nov. 23, 1897	168
do	Lillie A. Harris.....	June 9, 1897	168
do	Minnie Hughes.....	July 26, 1897	168
do	Minnie Kaut.....	Sept. 1, 1897	168
do	Mayme E. Kennedy.....	Jan. 1, 1897	180
do	Lillian M. Luley.....	Feb. 1, 1897	180
do	Margaret L. McLean.....	Aug. 10, 1897	168
do	Mary L. Moore.....	Feb. 1, 1897	180
do	Nettie M. Parmelee.....	Sept. 27, 1897	168
do	Effe T. Salisbury.....	July 1, 1897	168
do	Mary Shaughnessy.....	Mar. 24, 1897	180
do	Eugenie E. Texier.....	April 1, 1897	180
do	Marguerita Thomas.....	Aug. 9, 1897	168
do	Delia Troy.....	Dec. 1, 1897	168
do	Eva A. Wakefield.....	Jan. 16, 1897	180

State Hospital, Willard.

Unclassified Service.

Manager.....	Stephen H. Hammond.....	Dec. 14, 1896	None
do	John A. Osborne.....	Dec. 14, 1896	None
do	Abraham S. Stothoff.....	Dec. 14, 1896	None
do	Martin L. Allen.....	Dec. 14, 1896	None
do	John L. Morris.....	Dec. 14, 1896	None
do	Mrs. Caroline A. Mongin.....	Dec. 14, 1896	None
do	William J. Pollard.....	Dec. 14, 1896	None

Class I.

Treasurer.....	James B. Thomas.....	April 19, 1899	\$1,500
Attorney.....	S. S. Partridge.....	Sept. 31, 1897	1,200
Steward.....	Morris J. Gilbert.....	Mar. 17, 1873	2,000

State Hospital, Willard—(Continued).

Class II.

Position.	NAME.	Date of entrance into position.	Compensation.
Superintendent	Wm. Austin Macy	Jan. 1, 1897	\$3,500
First Assistant Physician	William L. Russell	Mar. 15, 1897	2,000
Second do	Samuel F. Mellen	Oct. 1, 1894	1,800
Assistant Physician	Thomas J. Currie	Dec. 1, 1891	1,500
do	Frederick E. Bowlby	Jan. 1, 1895	1,500
do	Charles F. Sanborn	Feb. 1, 1895	1,400
do	Robert E. Doran	Oct. 20, 1897	1,200
Junior Physician	William Steinach	May 21, 1896	1,000
do	John W. Russell	Nov. 15, 1896	1,000
Medical Intern	Edward G. Klein	Mar. 24, 1897	600
do	Godfrey Pittis	Mar. 24, 1897	600
Woman Physician	J. Earnestine Hills	Nov. 14, 1896	1,200
Matron	Juliet W. Wyman	Jan. 1, 1885	600
Apothecary	Willis S. Rich	Oct. 1, 1894	643
Stenographer and Telegrapher	B. Grant Taylor	Jan. 1, 1894	816
Stenographer	Warren L. Brame	Jan. 26, 1894	788
Bookkeeper	William J. McKee	Feb. 14, 1882	888
Accountant	Richard M. Deuton	Oct. 1, 1870	760
Storekeeper	Francis E. Young	July 29, 1884	630
Chief Engineer	Charles L. Rowley	Sept. 1, 1869	1,220
Assistant Engineer	Richard K. Roach	Aug. 22, 1887	750
do	John M. Dickson	Oct. 17, 1896	600
do	Marcus M. Andrus	Oct. 8, 1881	480
do	William H. Rich	Feb. 22, 1892	480
Locomotive Engineer	William S. Pool	Jan. 3, 1878	540
Electrical Engineer	John K. Williams	Sept. 1, 1897	1,020
Assistant Electrical Engineer	Jeremiah W. Black	Sept. 1, 1897	600
do	John Engle, Jr	April 20, 1897	480
do	John J. Mulligan	Mar. 22, 1897	720

Class III.

Chief Supervisor	William Farley	July 6, 1887	600
Supervisor	William T. Bowlby	April 1, 1886	540
do	Minnie McIntyre	Oct. 1, 1892	480
do	Anna C. Lovelace	Feb. 1, 1887	480
do	Patrick Roe	April 22, 1877	540
do	John Donovan	Nov. 4, 1873	540
do	Samuel L. Crawford	Jan. 29, 1894	504
do	Martha A. Tierney	May 1, 1894	444
do	Elizabeth M. Nichols	Sept. 1, 1895	408
Housekeeper	Ellen G. McKee	April 1, 1896	312
do	Abigail E. Bowlby	April 1, 1886	880
Janitress	Carrie M. Sayre	Nov. 9, 1894	216
Painter	Elliot S. Andrus	Oct. 22, 1877	600
do	Doctor C. Morvan	Sept. 1, 1884	288
do	William A. Martin	Sept. 1, 1896	264
do	Arthur J. Watts	April 6, 1892	288
do	James Quinn	May 16, 1892	288
do	Denton E. Johnson	Sept. 2, 1895	288
do	John K. Vreeland	June 12, 1893	288
do	Cornelius J. Crowley	April 20, 1894	288
do	Daniel M. Holland	Aug. 24, 1896	264
do	Frank M. Smith	Aug. 13, 1894	720
Carpenter	John E. Walsh	Oct. 5, 1885	600
do	James A. Kenny	Mar. 11, 1896	600
do	Elisha Brockway	Dec. 1, 1895	408
do	Chester A. Vreeland	Nov. 7, 1893	288
do	Will A. Shimer	Aug. 10, 1892	312
do	Henry A. Conley	Feb. 27, 1892	288
do	George S. Rowley	Jan. 1, 1873	810
do	J. Fred Crans	Mar. 25, 1897	600
Plumber and Steamfitter	M. A. Gregory	Aug. 3, 1890	720
Plumber and Steamfitter's Helper	Charles L. Swarthout	Mar. 1, 1896	402
do	Grant S. Rowley	April 1, 1888	480
Glazier	Leroy Vreeland	Oct. 29, 1894	288
Mason	James Feehan	Jan. 1, 1870	\$3.00 per day
do	Patrick Henratta	April 1, 1895	\$444
Lineman	James Quinn, Jr	July 10, 1894	420
Fireman	Patrick Hoey	Dec. 1, 1883	510
do	Darwin C. Covert	Dec. 11, 1883	510

State Hospital, Willard—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Fireman	Melvin S. Austin	Sept. 1, 1894	\$490
do	Samuel R. Finley	Dec. 5, 1895	490
do	Thomas H. Martin	July 7, 1898	510
do	James Martin	Nov. 1, 1894	510
do	Washington Hardenbrook	May 15, 1893	480
do	Peter McKenna	Dec. 1, 1879	490
do	John Martin	Oct. 1, 1889	490
do	Timothy Tierney	Dec. 11, 1877	490
do	George Turnbull	Oct. 1, 1887	490
do	Patrick Rafferty	April 23, 1872	490
do	Charles R. Maughan	Nov. 22, 1894	510
do	Francis E. Norton	Sept. 23, 1893	490
do	Chas. S. Percells	Dec. 26, 1897	490
do	Wm. A. White	April 17, 1897	490
do	Russell D. Martin	Dec. 30, 1897	490
Watchman	Robert Wilson	Nov. 1, 1881	420
do	William Kerr	Sept. 1, 1893	430
do	Theodore C. Selfridge	Nov. 1, 1886	420
Policeman	Patrick O'Handlan	Oct. 17, 1895	420
do	John E. Rice	Jan. 11, 1897	420
Chef	Frederick J. Hahn	Feb. 19, 1896	520
Head Cook	Frank P. Warner	Oct. 3, 1897	490
Cook	Ella Sturges	May 19, 1898	300
do	Margaret Conroy	Nov. 15, 1892	300
do	Laura A. Robinson	Oct. 15, 1894	300
do	Emily Batchelder	May 18, 1898	300
do	Margaret McGrane	July 10, 1874	300
do	Mary T. Carpenter	Oct. 20, 1897	300
do	Mary A. Downs	Oct. 18, 1897	300
Baker	James C. McDonald	Nov. 1, 1898	600
Assistant Baker	Dennis Lochren	April 15, 1889	420
Baker's Helper	Matthew Maynes	July 28, 1891	300
do	Patrick R. Ryan	April 9, 1894	288
Meat Cutter	William F. Lyons	April 25, 1889	510
do	John J. Lyons	May 23, 1892	408
Laundry Overseer	George E. Van Court	April 28, 1897	600
Laundryman	John Feehan	May 1, 1881	288
do	Martin McManus	July 9, 1879	288
do	Nichols Durnin	April 18, 1882	288
do	John Keating	Dec. 18, 1878	288
do	Hoter C. Moller	Oct. 17, 1896	284
do	Orlin Hager	Mar. 5, 1895	288
Head Laundress	Bridget McGhan	Mar. 23, 1881	300
Laundress	Ann Toner	Dec. 1, 1880	180
do	Anna McKittrick	Sept. 28, 1894	180
do	Elizabeth Jeffrey	Aug. 28, 1891	180
do	Anna Merriman	Nov. 1, 1893	180
do	Mary McGrane	Aug. 1, 1884	180
do	Margaret Andrus	June 1, 1895	210
do	Ellen O. Vreeland	Mar. 19, 1895	210
do	Lizzie F. White	Oct. 1, 1897	180
do	Catherine Hagan	April 30, 1897	180
Gardener	Patrick M. Feehan	Mar. 25, 1890	480
Head Farmer	Christian Lund	June 18, 1895	654
Mechanical work	William W. Matteson	Sept. 15, 1890	348
Fireman, Railroad	James J. Roberts	Jan. 1, 1893	216
do	Edward Brennan	May 16, 1892	192
Conductor	Charles F. Beach	June 1, 1883	236
do	John Quinn	Nov. 1, 1892	248
Shoe-maker	Thomas Latimer	Mar. 1, 1874	540
do	Andrew Cannon	Nov. 1, 1897	360
Basketmaker	Nels Hall	Sept. 1, 1896	432
Tailor	Ernest F. Gilgen	Feb. 23, 1891	570
Tailorress	Julia McGhan	Dec. 1, 1896	312
do	Catherine Ryan	Mar. 31, 1893	348
do	Nellie Gilgen	Oct. 16, 1895	246
do	Mary H. Button	Feb. 10, 1894	276
Dressmaker	Margaret W. Rich	April 1, 1881	360
Shirtmaker	Elizabeth M. Hault	Sept. 27, 1894	216
Barber	Charles B. Everett	Feb. 30, 1896	504
Coachman	William C. Jopson	Dec. 26, 1889	630
Nurse	Mary Lochren	July 1, 1897	278

State Hospital, Willard—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Nurse	Alice D. Hendricks	July 1, 1897	\$376
do	Helen D. Morgan	July 1, 1897	268
do	Cora M. Wheeler-Lyons	July 1, 1897	276
do	Hugh McCarron	Aug. 1, 1897	248
do	Jens Nielsen	Nov. 1, 1897	2-8
do	James Dougherty	July 1, 1897	360
do	Carl E. Jensen	Nov. 1, 1897	336
do	William H. Barry	July 1, 1897	336
do	Mary Brown	July 1, 1897	312
do	Margaret McGuire	July 1, 1897	300
do	James Piercy	July 1, 1894	372
do	Catherine B. Gordon	July 1, 1897	300
do	James H. Ryan	June 1, 1892	396
do	Christopher Carr	July 1, 1894	372
do	Mary J. Merriman	July 1, 1894	312
do	Gertrude A. Chapin	May 1, 1897	376
do	Margaret McCarron	Mar. 1, 1897	276
do	Anna F. McGee	July 1, 1896	268
do	Mary A. Halligan	July 1, 1896	324
do	Catherine E. Killen	July 1, 1896	268
do	Lucy V. Condon	July 1, 1896	288
do	Jennie McWilliams	Oct. 1, 1896	248
do	Bridge F. Downs	July 1, 1896	288
do	Mary K. Ryan	July 1, 1896	312
do	Elizabeth Gates	Oct. 1, 1895	300
do	Mary Troutman	July 1, 1897	276
do	Carolyn M. Burton	July 21, 1897	276
do	Julia L. Carroll	Nov. 1, 1897	276
do	Hannah A. Coughlin	July 1, 1897	240
do	David Crawford	Jan. 1, 1899	372
do	Etta D. Pepper	July 1, 1897	240
do	Anna Messer	July 1, 1897	240
do	Catherine Tierney	July 1, 1897	240
Special Attendant	Patrick Feehan	Sept. 25, 1871	420
do	Francis M. Hamlin	Nov. 20, 1834	288
do	William C. Cooper	Oct. 12, 1896	462
do	Miller I. McHenry	Nov. 1, 1875	408
do	Ida T. McKee	April 1, 1896	312
do	Marion E. Gilbert	May 1, 1896	312
do	John Conley	July 22, 1895	384
do	Albert D. Quinn	July 1, 1896	492
do	Patrick Béal	Nov. 1, 1896	396
do	Patrick H. Martin	April 4, 1882	420
do	John Carsher	Jan. 1, 1898	360
do	Elizabeth A. Conklin	Oct. 1, 1897	300
do	James E. Delany	May 1, 1897	360
do	Joseph W. Dunn	Dec. 1, 1897	390
Attendant	Peter McDermott	Jan. 1, 1895	336
do	John F. Keenan	April 1, 1897	300
do	Anders P. Anderson	Sept. 1, 1893	348
do	William Stockdale	Sept. 1, 1895	324
do	Owen S. Gartland	Sept. 1, 1893	348
do	Michael J. Burke	April 1, 1896	312
do	Patrick Rourke	Dec. 1, 1895	324
do	George Healus	Oct. 1, 1891	360
do	Patrick Marks	Mar. 1, 1893	348
do	Lauritz Elling	Oct. 1, 1896	312
do	Joseph Clarke	July 1, 1893	348
do	James Clarke	May 1, 1896	312
do	William Hynd	Dec. 1, 1893	348
do	Cornelius Breen	Nov. 1, 1897	300
do	William Harte	Nov. 1, 1892	360
do	James Stockdale	April 1, 1896	312
do	John Hernon	June 1, 1895	324
do	Michael Foley	Feb. 1, 1897	300
do	Peter Doran	June 1, 1892	360
do	Rose Hackett	Mar. 1, 1895	264
do	James Crauney	Dec. 1, 1844	360
do	Peter Connor	June 1, 1891	360
do	Ella Rooney	Sept. 1, 1892	300
do	Mary C. Wanda	July 6, 1876	300
do	Margaret E. Duffy	Feb. 1, 1895	264

State Hospital, Willard—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Aurelia Chapman.....	Sept 1, 1894	\$376
do	Elizabeth Pascall	April 1, 1894	276
do	Margaret J. Black	May 1, 1894	300
do	Clara Troutman	Oct. 24, 1895	276
do	Rose Ann Donley	May 1, 1893	300
do	Jane Wyres	Mar. 1, 1897	240
do	Margaret H. Tobin	Mar. 1, 1896	252
do	Margaret Irwin	Nov. 1, 1879	312
do	Rose A. Keenan	Sept 1, 1893	288
do	Anna M. Murphy	July 1, 1895	264
do	William Harrison	July 2, 1892	288
do	Edward B. Hughes	April 23, 1896	276
do	Michael L. Lyons	Nov. 11, 1895	300
do	James McGhan	Mar. 4, 1895	288
do	Christopher J. Merriman	July 26, 1893	288
do	John D. Murphy	Mar. 15, 1887	288
do	Patrick Lyman	April 4, 1893	288
do	George H. White	Mar. 18, 1891	288
do	Stephen Feehan	Oct. 10, 1891	288
do	John R. Steele	Nov. 9, 1894	288
do	Edgar Thomas	June 12, 1894	288
do	Frank Kelly	June 20, 1892	288
do	Clinton L. Brooker	Sept. 30, 1896	264
do	Joseph S. Murphy	Mar. 3, 1896	276
do	John Coughlin	June 25, 1896	276
do	Fred Havens	May 8, 1895	300
do	Wm James Henry	July 13, 1895	330
do	Thomas J. Roe	June 30, 1892	288
do	Daniel H. Carpenter	Aug. 1, 1895	288
do	Edward M. Everett	Sept. 30, 1898	264
do	John Limner	Sept. 16, 1898	264
do	John J. Mahoney	Mar. 12, 1895	288
do	Michael Quinn	Aug. 26, 1895	300
do	John W. Martin	Mar. 24, 1894	288
do	Charles D. Thompson	April 9, 1896	276
do	Charles O. Carroll	April 6, 1896	276
do	Judson B. Dinmick	Mar. 5, 1895	288
do	William Marks	May 22, 1893	288
do	Neils Anderson	Sept. 26, 1891	288
do	Charles Hilkert	Mar. 4, 1896	276
do	Thomas McKenna	April 10, 1885	312
do	Jens Jensen, Jr.	Sept 25, 1888	288
do	Peter Conley	April 16, 1896	276
do	William Christensen	Aug. 7, 1893	288
do	William J. Hagan	April 9, 1896	276
do	George W. Hendricks	Feb. 17, 1891	268
do	James Keenan	Feb. 28, 1889	288
do	Patrick Kinney	July 17, 1889	300
do	James Flanagan	Sept. 6, 1893	288
do	Michael O'Connell	Nov. 1, 1892	288
do	Rensselaer Furbeck	Nov. 9, 1896	264
do	Louis Joffe	Aug. 1, 1893	300
do	Peter Lyman	April 28, 1896	276
do	Thomas W. Martin	Dec. 29, 1893	288
do	Martin Robinson	Jan 13, 1896	276
do	Thomas Carey	Feb 23, 1893	288
do	John Anderson	June 1, 1893	300
do	Albert E. Kerr	May 24, 1893	288
do	Francis Lochern	May 31, 1893	288
do	Arthur C. Jackson	Nov. 23, 1896	288
do	Myles MacDonnell	Oct. 1, 1895	264
do	Richard Doherty, Jr.	April 17, 1896	276
do	Lewis F. Smith	Dec. 19, 1895	300
do	James R. Hamblin	April 4, 1896	288
do	Charles E. Sayre	Aug. 5, 1898	288
do	Charles Dixon	Dec. 26, 1895	300
do	Charles Sprigg	Sept. 19, 1896	264
do	Royal G. Kienert, Jr.	May 11, 1896	288
do	Herman J. Taylor	April 22, 1896	288
do	James A. Lyons	Jan. 1, 1890	288
do	Frederick C. Brehen	Sept. 21, 1897	240
do	James Carroll	Feb. 23, 1897	288

NEW YORK CIVIL SERVICE COMMISSION.

1119

State Hospital, Willard—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Leon L. Chase.....	April 11, 1897	\$252
do.....	James B. Covert.....	Feb. 23, 1897	252
do.....	John C. Crowe.....	Oct. 6, 1897	240
do.....	Mason H. De Lano.....	April 10, 1897	252
do.....	John Feehan, Jr.....	June 15, 1897	252
do.....	Ulysses G. Fisher.....	April 12, 1897	252
do.....	Frank B. Harvey.....	June 14, 1897	252
do.....	John W. Hasseplug.....	Nov. 9, 1897	240
do.....	Guy D. Houghton.....	Sept. 23, 1897	240
do.....	James A. Landon.....	June 17, 1897	252
do.....	John A. MacEwan.....	June 21, 1897	252
do.....	Charles McHenry.....	April 17, 1897	252
do.....	John H. McKenna.....	April 2, 1897	252
do.....	Edward Nicholson.....	Feb. 24, 1897	252
do.....	Bert E. Swarthout.....	Mar. 19, 1897	252
do.....	William L. Taylor.....	Aug. 25, 1897	240
do.....	Franklin P. Tharp.....	Mar. 15, 1897	252
do.....	John H. Tierney.....	June 1, 1897	252
do.....	Roy H. Troxel.....	April 14, 1897	252
do.....	John H. Weeks.....	Feb. 8, 1897	252
do.....	James H. White.....	April 10, 1897	252
do.....	Cyrus Yates.....	Mar. 23, 1897	252
do.....	Mary A. McEvoy.....	May 1, 1894	216
do.....	Margaret Roe.....	Dec. 24, 1894	216
do.....	Ellen R. Nicholson.....	Aug. 4, 1893	216
do.....	Anna Gould.....	April 8, 1895	216
do.....	Catherine Myers.....	July 18, 1892	216
do.....	Elizabeth N. Savage.....	Oct. 17, 1896	192
do.....	Margaret R. Downs.....	Oct. 1, 1896	192
do.....	Catherine M. Mullin.....	Mar. 16, 1893	216
do.....	Jane H. Conroy.....	Aug. 21, 1894	216
do.....	Agnes Steele.....	Jan. 11, 1895	216
do.....	Margaret A. McKenna.....	Mar. 13, 1894	216
do.....	Mary C. Greene.....	April 18, 1896	204
do.....	Anna Woods.....	May 4, 1896	216
do.....	Margaret Collins.....	Feb. 1, 1896	204
do.....	Rosa Roarke.....	Sept. 12, 1893	216
do.....	Margaret Murphy.....	May 28, 1894	216
do.....	Catherine McArdle.....	Mar. 13, 1895	216
do.....	Elizabeth Hamilton.....	April 8, 1894	216
do.....	Mary McArdle.....	June 20, 1892	216
do.....	Bertha A. Chapman.....	Oct. 1, 1890	228
do.....	Mary E. Reilly.....	May 8, 1896	216
do.....	Belle Goodwin.....	Feb. 10, 1896	216
do.....	Helen A. Meath.....	April 16, 1894	216
do.....	Fannie E. Flinn.....	Aug. 2, 1896	276
do.....	Emma J. Fish.....	Oct. 8, 1896	276
do.....	Margaret Sloan.....	Dec. 27, 1895	276
do.....	Jane Crawford.....	May 1, 1893	300
do.....	Elizabeth Hughes.....	Sept. 16, 1895	276
do.....	Catherine E. Finn.....	Sept. 23, 1893	276
do.....	Catherine V. Nicholson.....	May 11, 1896	204
do.....	Winifred C. Reynolds.....	Dec. 9, 1896	192
do.....	Catherine Fitz Simons.....	Sept. 12, 1896	192
do.....	Margaret E. Feehan.....	Sept. 12, 1893	216
do.....	Martha Fetterly-Dixon.....	Mar. 5, 1896	216
do.....	Mary Roe.....	Sept. 19, 1893	224
do.....	Jane O'Neil.....	Feb. 2, 1893	216
do.....	Mary A. Gavin.....	Dec. 7, 1896	192
do.....	Ellen Sullivan.....	Mar. 7, 1894	216
do.....	Margaret Hernon.....	May 22, 1891	228
do.....	Jane R. Duffy.....	Nov. 1, 1891	216
do.....	Bridget Crilly.....	June 1, 1892	216
do.....	Maria A. Foster.....	May 16, 1894	228
do.....	Genevive Marsh.....	July 9, 1895	216
do.....	Anna S. Finn.....	Sept. 16, 1896	216
do.....	Catherine A. Speer.....	Jan. 31, 1893	224
do.....	Eliza Stockdale.....	May 8, 1893	216
do.....	Anna M. Murphy.....	June 7, 1893	252
do.....	Lucy A. Gallagher.....	Sept. 1, 1896	204
do.....	Joan Bremner.....	Dec. 31, 1896	216
do.....	Elizabeth Carson.....	July 11, 1894	216
do.....	Catherine Henratta.....	April 20, 1896	204

FIFTEENTH REPORT OF THE

State Hospital, Willard—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Nellie A. Gould.....	July 1, 1895	\$216
do	Elizabeth Martin.....	Oct. 1, 1895	216
do	Caroline M. Hallock.....	May 10, 1895	216
do	Mary A. Keady.....	May 20, 1895	216
do	Mary Halstead.....	June 27, 1895	204
do	Mary E. Henry.....	July 13, 1895	228
do	Martha C. Morrow.....	June 23, 1895	216
do	Mary C. Kinney.....	Oct. 5, 1874	216
do	Mary Ann Campbell.....	May 28, 1888	216
do	Ann McArdle.....	Dec. 12, 1894	216
do	Ellen Sloan.....	Jan. 12, 1892	216
do	Watie E. Harris.....	Aug. 29, 1887	228
do	Emma Johnson.....	Mar. 25, 1896	216
do	Tessa M. Carty.....	Mar. 3, 1897	180
do	Anna J. Christy.....	May 19, 1897	192
do	Margaret L. Clare.....	May 6, 1897	216
do	Jennie L. Coot.....	Dec. 14, 1897	168
do	Christina Corbett.....	Nov. 15, 1897	168
do	Elizabeth DeLacy.....	May 20, 1897	180
do	Alice F. Delany.....	July 22, 1897	180
do	Della B. Donovan.....	Feb. 4, 1897	192
do	Jennie Durkee.....	May 25, 1897	180
do	Rachel Ford.....	Mar. 15, 1897	180
do	Frances E. Green.....	May 11, 1897	180
do	Frances Hardenbrook.....	May 29, 1897	192
do	Kate Hebblethwaite.....	Oct. 18, 1897	168
do	Jennie Howard.....	June 11, 1897	180
do	Maude L. Jerome.....	April 5, 1897	180
do	Anna E. Jones.....	May 18, 1897	180
do	Marion G. Keffer.....	July 28, 1897	168
do	Mary L. Kenney.....	Sept. 14, 1897	168
do	Josephine Kieley.....	Dec. 1, 1897	168
do	Alice Klute.....	June 10, 1897	180
do	Minnie L. Leddy.....	May 6, 1897	180
do	Eliza K. MacDonnell.....	Sept. 23, 1897	180
do	Rose A. Macklin.....	July 13, 1897	168
do	Margaret L. Martin.....	Nov. 8, 1897	168
do	Margaret L. Murphy.....	June 29, 1897	180
do	Minnie E. Newcomb.....	April 8, 1897	180
do	Carrie A. Perry.....	Dec. 11, 1897	168
do	Anna C. Smith.....	Sept. 13, 1897	168
do	Tillie Toor.....	May 19, 1897	180
do	Leah Tremaine.....	Sept. 10, 1897	168
do	Grace E. Voorhees.....	Oct. 23, 1897	168
do	Josephine Wales.....	Dec. 20, 1897	168
do	Georgia M. Wallace.....	Oct. 2, 1897	168
do	Letetia Wasson.....	April 20, 1897	180
do	Adelle R. Wyman.....	May 19, 1897	180
do	Margaret E. Tole.....	April 26, 1894	216
do	Emma E. Smith.....	Oct. 1, 1895	216

School for the Blind, Batavia.

Unclassified Service.

Manager.....	Andrew W. Skelley.....	Jan. 23, 1895	None
do	Sidney R. Sherwin.....	Mar. 14, 1895	None
do	Lee R. Sanborn.....	Mar. 14, 1895	None
do	David W. Tomlinson.....	Jan. 23, 1895	None
do	Ani H. Hoskins.....	Jan. 23, 1895	None
do	Hannah M. Humphrey.....	April 2, 1894	None
do	F. Park Lewis.....	April 2, 1894	None
do	Nelson Bogue.....	April 2, 1894	None
do	Frank S. Wood.....	Jan. 23, 1895	None

Class II.

Superintendent.....	Gardner Fuller.....	May 1, 1895	\$2,000
Physician.....	Ward B. Whitcomb, M. D.....	July 1, 1897	300
Ophthalmic Physician.....	Lucian Howe, M. D.....	Oct. 1, 1897	100
Kindergartner.....	Grace R. Jewett.....	Dec. 15, 1897	400

NEW YORK CIVIL SERVICE COMMISSION.

1121

School for the Blind, Batavia—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Teacher.....	O. R. Heinze.....	Dec. 1, 1895	\$800
do.....	J. E. Skiff.....	Oct. 1, 1895	800
do.....	A. G. Haupt.....	April 1, 1896	800
do.....	George F. Ogden.....	April 1, 1895	700
do.....	Cornelia Phelan.....	Sept. 1, 1899	500
do.....	M. C. M'Gee.....	Sept. 1, 1892	500
do.....	C. H. Weed.....	Nov. 1, 1890	500
do.....	L. E. Thacher.....	Sept. 1, 1898	600
do.....	F. J. Bigelow.....	Sept. 1, 1896	500
do.....	G. E. Bartlett.....	Jan. 1, 1894	400
do.....	H. E. Pierson.....	Sept. 1, 1896	400
do.....	Angeline Cutler.....	Sept. 1, 1873	300
do.....	Augustus Fricker.....	Dec. 1, 1895	340
do.....	H. P. Maddock.....	Oct. 1, 1882	480
Bookkeeper.....	F. M. Jameson.....	Feb. 1, 1878	1,200
Steward.....	Peter Thomas.....	Jan. 1, 1895	1,000
Matron.....	L. M. Bates.....	Oct. 1, 1896	500
Assistant matron.....	Bella Gauld.....	Sept. 1, 1897	300
do.....	Minnie J. Gould.....	Sept. 1, 1897	300
Engineer.....	Thomas Jordan.....	Dec. 1, 1868	540

Class III.

Housekeeper.....	Sarah A. Jackson.....	July 1, 1897	300
Attendant.....	Elizabeth Blount.....	Feb. 1, 1896	300
Baker.....	Lucius Baker.....	Sept. 1, 1893	480
Cook.....	Julia Ryan.....	Sept. 1, 1879	270
Laundress.....	Anna Hannon.....	Sept. 1, 1869	182
Fireman.....	John Mahaney.....	Jan. 1, 1878	480
do.....	James Maney.....	Nov. 1, 1890	480
Florist.....	James Conway.....	June 1, 1889	600
Carpenter.....	A. F. Gelger.....	Sept. 1, 1893	540
Watchman.....	Patrick McDonald.....	Sept. 1, 1893	540

Elmira Reformatory.

Unclassified Service.

Manager.....	Mathias H. Arnot.....	Mch. 17, 1893	None
do.....	William H. Peters.....	Mch. 17, 1892	None
do.....	James B. Rathbone.....	Mch. 11, 1896	None
do.....	Charles T. Willis.....	April 30, 1895	None
do.....	John M. Diven.....	Oct. 4, 1897	None

Class II.

Superintendent.....	Z. R. Brockway.....	May 12, 1876	\$3,500
Physician.....	H. D. Wey, M. D.....	Jan. 1, 1879	1,200
Assistant Physician.....	R. F. Diedling, M. D.....	Oct. 25, 1896	600
Military Instructor.....	V. M. Masten.....	Nov. 7, 1896	1,200
Assistant Military Instructor.....	John J. Finnell.....	Oct. 13, 1896	800
Director of Trade Schools.....	Duncan A. McConnell.....	May 1, 1897	1,200
Moulding Instructor.....	James A. Ryan.....	Oct. 5, 1897	720
Ass't Technological Instructor.....	L. R. Barber.....	Sept. 24, 1896	600
School Secretary.....	Alfred E. Upham.....	Aug. 1, 1897	1,200
Manual Training Instructor.....	R. Charles Bates.....	Aug. 1, 1896	1,355
Sloyd Instructor.....	Richard Almgren.....	Aug. 31, 1896	1,000
Transfer Officer.....	H. B. Brockway.....	Jan. 13, 1877	1,200
Physical Instructor.....	J. L. Berthold.....	June 19, 1888	1,000
Chief Clerk.....	H. F. Bush.....	Aug. 19, 1885	1,000
Clerk.....	W. H. Demarest.....	Jan. 27, 1894	755
do.....	J. R. Robinson.....	Aug. 4, 1894	600
Bookkeeper.....	H. S. Maher.....	Oct. 6, 1894	755
Lecturer.....	W. H. Chapman.....	.....	.....
Cook.....	Emil Schmidt.....	Dec. 1, 1895	1,200
Upholstering Instructor.....	A. Von Hoeffen.....	Mar. 19, 1890	720
Wood Carving Instructor.....	Louis Huth.....	Aug. 31, 1896	800

Elmira Reformatory—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Electrician	K. Ogimura	Sept. 22, 1888	\$1,000
Assistant Electrical Engineer	Edwin U. Brown	Oct. 16, 1887	600
Photographer	C McCollum	Mar. 21, 1886	600
Printer	Louis A. Paul	July 1, 1887	750
Telegrapher	Edward P. Lyons	April 5, 1887	456
Carpenter	Oscar Thompson	Nov. 23, 1886	1,200
do	C. Connelly	Oct. 29, 1889	624
Plumber	William Espey	Aug. 31, 1886	600
Moulder	J. L. Munn	Aug. 27, 1893	600
Tinsmith	Thomas R. Hughes	April 19, 1887	600
Engineer	H. C. Hanford	Oct. 1, 1894	1,000
Mason	David Shay	July 5, 1892	900
Blacksmith	J. A. Riley	Jan. 1, 1896	720
Painter	Thomas F. Foley	Mar. 16, 1891	720
Bookbinder	Emil Silberberg	Feb. 27, 1896	720
Shoemaker	James P. McCanna	Mar. 8, 1886	720
Tailor	E. Jentz	Jan. 1, 1884	720
Architect and Foreman	Robert J. Davison	May 1, 1896	.....
Gardener	G. W. Cleary	May 10, 1890	600
Machinist	G. W. Patterson	July 24, 1893	900
Instructor Stone Cutting	C. W. Vernoy	Feb. 10, 1896	\$2.00 per seas.
do Wood Turning	T. S. Gates	Aug. 26, 1894	2.00 per seas.
do Cabinet Making	Godfrey Miller	Dec. 27, 1896	3.00 per seas.
do Stenography	F. L. Howard	Mar. 1, 1894	3.00 per seas.
do Band	A. F. Hager	May 11, 1896	\$720
do do	John Fay	July 9, 1897	2.00 per seas.
Overseer	John Bigley	Jan. 29, 1886	\$456
Watchman	P. O. Rickey	Jan. 15, 1880	600
do	B. D. Fuller	Sept. 21, 1891	480
do	Daniel Loid	July 5, 1890	480
do	G. W. Smith	May 1, 1893	456
do	P. O'Rourke	April 9, 1892	456
Principal Keeper	Samuel D. Sample	April 2, 1888	1,000
Kitchen Keeper	P. McLaughlin	Feb. 1, 1888	800
Gate Keeper	Thomas Murphy	Nov. 9, 1887	600
Hall Keeper	Thomas McLaughlin	May 1, 1890	480
do	W. H. Newman	April 8, 1896	480
Keeper	Joseph Haran	Dec. 8, 1894	528
do	W. W. Simcoe	Nov. 5, 189	528
do	J. H. Gunderman	April 15, 1895	528
do	S. L. Minier	Sept. 8, 1895	528
do	J. H. Reldy	Nov. 7, 1895	528
do	A. G. Seeley	Feb. 18, 1896	528
do	Daniel H. Kinney	June 8, 1896	528
do	James Riffe	Dec. 2, 1895	528
do	C. S. Beckwith	Jan. 5, 1893	600
do	M. H. Brown	Jan. 20, 1894	528
do	Patrick Mitchell	Mar. 24, 1893	600
do	Thomas McInerney	Sept. 3, 1894	600
do	W. H. Delaney	Sept. 4, 1893	600
do	Thomas Maroney	Aug. 22, 1894	600
do	Thos. McLaughlin	Jan. 1, 1898	528
do	H. M. Riffe	April 17, 1896	528
do	J. Lamoreaux	April 14, 1896	528
do	J. P. Healey	Sept. 9, 1895	528
do	J. F. Moylan	Jan. 1, 1896	528
Guard	E. M. Noble	Jan. 21, 1896	457
do	Walter Long	Mar. 19, 1896	456
do	J. E. Gardner	June 22, 1896	456
do	Dennis Burns	Mar. 11, 1893	500
do	P. H. Russell	Aug. 26, 1895	500
do	B. Spencer	July 24, 1876	480
do	F. A. Bowman	July 10, 1884	480
do	Samuel Manning	S. pt. 12, 1893	480
do	E. F. Adams	Sept. 3, 1894	480
do	B. W. Vosburgh	April 7, 1893	456
do	John Sufferin	S. pt. 18, 1891	456
do	William Prendergast	Mar. 16, 1891	456
do	F. B. Cr we	Aug. 30, 1895	456
do	D. M. Espey	April 7, 1896	456
do	Jacob Butterfuss	April 13, 1896	456

Elmira Reformatory—(Continued).**Class II—(Continued).**

Position.	NAME.	Date of entrance into position.	Compensation.
Guard	E. W. Tompkins.....	April 20, 1896	\$456
do	M. E. Hogue.....	June 1, 1896	456
do	Wm. Flynn.....	June 18, 1896	456
do	J. H. Collins.....	Aug. 11, 1897	456
do	Albert J. Baggs.....	May 25, 1896	360
do	Sidney Palmer.....	Aug. 11, 1897	360
do	Alfred R. Pray.....	May 11, 1897	528
do	Lewis W. Tebo.....	Aug. 11, 1897	360
do	Peter Baker.....	July 5, 1897	480
do	Frank B. Thorn.....	July 5, 1897	456
do	U. G. Auble.....	Aug. 25, 1896	456

Class III.

Fireman.....	M. T. Durkin.....	Oct. 1, 1894	456
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Industrial School, Rochester.**Unclassified Service.**

Manager.....	George G. Carroll.....	April 3, 1895	None
do	Isaac Gibbard.....	April 3, 1895	None
do	Alexander B. Lamberton..	April 3, 1895	None
do	Thomas Raines.....	April 3, 1895	None
do	James M. E. O'Grady.....	April 19, 1893	None
do	Sarah L. Kutchling.....	Mar. 9, 1893	None
do	George W. Goler.....	May 8, 1895	None
do	Henry Lomb.....	Feb. 14, 1894	None
do	George E. Warner.....	April 25, 1894	None
do	George A. Carnahan.....	April 3, 1895	None
do	Chas. H. Losey.....	Mch. 1, 1897	None
do	John C. Woodbury.....	Oct. 1, 1896	None
do	Chas. Van Voorhis.....	Oct. 1, 1896	None
do	Lura E. Aldridge.....	Feb. 23, 1897	None

Class I.

Catholic Chaplain.....	Thomas F. Hickey.....	Mar. 31, 1895	\$1,200
Protestant Chaplain.....	S. D. Bowden.....	Oct. 1, 1895	480
Protestant Agent.....	Lewis Haas.....	Oct. 1, 1893	1,800

Class II.

Superintendent.....	Franklin H. Briggs.....	July 1, 1890	3,500
Chief Business Department.....	David Bruce.....	May 1, 1891	3,000
do Military Department.....	Richard P. Kelly.....	June 17, 1893	1,200
do Department Discipline.....	Mary E. Walsh.....	Feb. 1, 1897	1,500
do Dept. Health and Sanitation	Dr. Lewis W. Rose.....	June 22, 1894	1,500
Assist. Chief Department Mental and Manual Instruction.....	Helen M. Shattuck.....	Sept. 1, 1892	900
Matron.....	Georgia A. Daniels.....	Nov. 3, 1891	1,000
do	Margaret E. Craig.....	Dec. 15, 1890	1,000
Assistant Matron.....	Ina Hardenbrook.....	Sept. 1, 1895	480
do Chief Business Dept.....	Thomas Curtin.....	July 1, 1873	1,000
Clerk.....	Charles S. Foote.....	Jan. 25, 1889	900
do	Lucy B. Sornberger.....	June 1, 1892	480
Bookkeeper.....	Emma Sontag.....	Aug. 23, 1895	600
Teacher.....	Jennie McAuliffe.....	May 18, 1891	600
do	Isabel G. Gibbs.....	Nov. 10, 1890	600
do	Anna M. Hollenbeck.....	April 1, 1886	600
do	Laura Wilson.....	Dec. 1, 1893	550
do	Edith V. Sharpe.....	Mar. 19, 1894	720
do	Gertrude Cooley.....	Sept. 1, 1893	550
do	Nellie E. Havner.....	Sept. 1, 1892	500
do	Elizabeth Nelson.....	Nov. 1, 1876	500
do	Gertrude Wilson.....	April 20, 1891	500
do	Lovina Cox.....	Feb. 20, 1893	500

Industrial School, Rochester—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Teacher	J. F. E. Brown.....	July 1, 1890	\$500
do	Nellie Hartley.....	Sept. 1, 1896	500
do	Elizabeth Purcell.....	Mar. 1, 1894	500
do	Jennie Bidleman.....	Sept. 1, 1896	670
do	Jennie Howell.....	Sept. 1, 1896	500
do	Mary E. Green.....	Sept. 1, 1892	500
do	Harriet Dunham.....	Sept. 25, 1895	500
do	Mabel E. Powers.....	Sept. 1, 1894	500
do	Julia Gairard.....	Sept. 1, 1894	500
do	Harriet Hutchins.....	Sept. 19, 1896	500
do	M. A. O'Connor.....	Sept. 1, 1896	500
do	Carrie A. Johnson.....	Sept. 11, 1897	400
Electrician	Edward Sheldon.....	Feb. 19, 1897	650
Organist	Elliott Irvin.....	July 1, 1896	250
Accompanist.....	M. F. O'Laughlin.....	July 1, 1895	250
Resident Physician.....	Dr. E. R. Hardenbrook.....	Oct. 10, 1895	5 0
Instructor, Band.....	F. B. Remington.....	April 1, 1895	750
do Shoemaking.....	William Toms.....	Oct. 1, 1874	750
do Painting.....	Charles A. Dutcher.....	Feb. 2, 1896	720
do Modeling.....	Francis H. Decker.....	Sept. 1, 1896	690
do Pattern Making.....	Oliver Lock.....	Mar. 28, 1896	712
do Bakery.....	Eugene Jelenberger.....	Jan. 1, 1896	660
do Floriculture.....	James R. Crab.....	Dec. 2, 1899	600
do Carpentry (Assistant).....	Jas. H. McNab.....	Mar. 16, 1896	578
do Millinery.....	Ella Kirk.....	Nov. 1, 1895	510
do Laundry.....	Nellie La Duke.....	Feb. 1, 1898	300
do Machinery.....	George T. Lockman.....	June 14, 1899	972
do Printing.....	Egbert Hockstra.....	Sept. 1, 1890	900
do Plumbing.....	Edward Crane.....	May 28, 1891	900
do Blacksmithing.....	Michael Shay.....	Sept. 1, 1896	900
do Electrical Construct'n.....	J. T. Freeman.....	Oct. 26, 1898	900
do do.....	J. F. Flanagan.....	Feb. 1, 1898	780
do Cooking.....	Clare Bieller.....	Mar. 14, 1895	650
do Tailoring.....	Charles J. Ritchie.....	Oct. 7, 1895	900
do Carpentry.....	H. J. Van Dyne.....	Sept. 1, 1897	780
do Foundry.....	J. C. Whiting.....	Oct. 7, 1890	780
do Masonry.....	Charles F. Guenther.....	Jan. 1, 1897	670
do Laundry.....	W. C. Masten.....	Jan. 1, 1893	780
do Care and Firing Steam Boiler.....	H. W. McCrossen.....	Mar. 12, 1897	696
do Care and Firing Steam Boiler.....	John S. Chapman.....	Sept. 15, 1897	660
do Bookbinding.....	James P. Finn.....	Oct. 8, 1897	540
do Manual Training.....	Emmett O'Brien.....	Nov. 5, 1897	540
do Upholstering.....	Richard J. Punch.....	Nov. 16, 1897	540

Class III.

Nurse.....	Ellen M. O'Donough.....	Jan. 1, 1895	700
do	Augustus Heren.....	June 1, 1892	910
Housekeeper	Lottie M. Walsh.....	Oct. 15, 1894	300
do	Mrs. L. Allen.....	July 1, 1896	300
do	Mrs. C. Cadote.....	July 1, 1897	300
do	Mrs. Agnes Foebry.....	Aug. 12, 1897	310
General Patrol.....	James R. Robertson.....	Oct. 7, 1898	660
Night Patrol.....	J. R. McKinley.....	Nov. 8, 1893	540
Chief Officer.....	A. J. Howard.....	Sept. 5, 1894	780
Relief Officer.....	Thomas Murphy.....	Dec. 10, 1894	480
Officer.....	T. J. Keady.....	Nov. 20, 1895	480
do	August Schantz.....	Oct. 1, 1896	480
do	T. M. Keady.....	Feb. 7, 1896	480
do	Mrs. M. E. Mullen.....	Dec. 4, 1893	510
do	Bessie McBride.....	July 26, 1894	870
do	Mrs. L. A. Riley.....	Mar. 19, 1895	870
do	Margaret Hickey.....	April 16, 1895	870
do	Emma Hurley.....	Mar. 1, 1895	380
do	Edward Robertshaw.....	Mar. 28, 1896	480
do	James Redfern.....	Jan. 10, 1896	480
do	J. J. Nebling.....	April 29, 1896	480
do	J. H. Hurley.....	Oct. 28, 1889	510
do	A. E. Schnell.....	June 18, 1896	480

Industrial School, Rochester—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Officer	J. H. Flanagan	Feb. 5, 1896	\$480
do	Mrs. H. J. Palmer	Sept. 10, 1889	300
do	Charlotte Sagar	Sept. 3, 1896	300
do	E. S. Jackson	Sept. 23, 1891	660
do	W. V. Stevens	Dec. 23, 1890	540
do	J. A. Hanvey	Feb. 25, 1896	480
do	Charles H. Tracy	Aug. 7, 1897	360
do	William F. Morrison	Feb. 20, 1897	420
do	A. M. Townsend	July 7, 1897	420
Farm Guard	L. A. Reilly	Feb. 2, 1895	660
do	William E. Cummings	Oct. 1, 1894	540
Gate Keeper	Wm. P. Corrin	July 1, 1879	540
Caretaker	Isabel Tracey	Oct. 20, 1896	300
do	Mrs. A. M. Benton	June 6, 1891	300
do	Catherine O'Leary	Dec. 6, 1894	300
do	E. A. Platte	Oct. 1, 1892	300
do	C. A. Colson	Oct. 1, 1892	480
do	M. E. Lyke	Jan. 1, 1894	300
do	E. Killick	Mar. 27, 1891	300
do	Bertram E. Frost	Sept. 14, 1897	360
do	K. Kelly	Dec. 31, 1889	300
do	Jessie Platte	Dec. 24, 1896	300
do	Alice Barns	June 1, 1891	300
do	Margaret Sheehan	June 25, 1896	300
Attendant	Jessie Sornberger	Feb. 5, 1892	420
do	Charlotte O'Grady	May 1, 1896	360
Cook	Emma Milliken	Jan. 4, 1894	300
do	Ida McLaughlin	Sept. 6, 1897	300
do	E. A. Streaker	Mar. 1, 1889	540
Superintendent of Hospital	Nellie O'Donohue	July 19, 1895	360
Superintendent of Kitchen	Mrs. Jennie Johnson	Oct. 6, 1894	360
Dentist	Dr. Lewis Gilbert	July 1, 1894	600
Night Watch	Mrs. Minnie S. Barr	Nov. 16, 1897	300

Soldiers' and Sailors' Home, Bath.

Unclassified Service.

Trustee	John Palmer	Feb. 20, 1894	None
do	Frank Campbell	Feb. 20, 1894	None
do	Horatio C. King	April 25, 1894	None
do	Otis H. Smith	Mar. 20, 1895	None
do	J. Monroe Shoemaker	April 9, 1896	None
do	Daniel E. Sickles	April 14, 1897	None
do	Joseph P. Cleary	April 14, 1897	None
do	Hotchkiss S. Finch	April 14, 1897	None
do	Geo. R. Sutherland	June 28, 1897	None

Class I.

Commandant	Charles O. Shepard	Mar. 1, 1897	\$3,000
Adjutant	Azariah C. Brundage	April 1, 1897	1,200
Quartermaster	Patrick J. O'Connor	Mar. 1, 1897	1,200
Assistant Quartermaster	S. S. Fairchild	Jan. 1, 1890	900
Surgeon	Ten Eyck O. Burleson	Aug. 14, 1890	1,800
Assistant Surgeon	Emery C. Pixley	Feb. 1, 1892	1,000

Class II.

Agent (New York)	John Hanway	Nov. 1, 1897	200
Agent (Buffalo)	Gen. William F. Rogers	May 1, 1897	420
Florist	Henry L. Drummer	Nov. 28, 1894	720
Cashier	William E. Howell	April 1, 1898	1,200
Engineer	George Densmore	Oct. 1, 1894	1,200
Supt. of Construction	Thomas Fogarty	Feb. 1, 1894	900
Bookkeeper	Fred McConnell	Sept. 1, 1894	1,000
Clerk	J. Foster Parkhurst	July 21, 1896	600
Treasurer's Clerk	L. Davison	1886	300

Soldiers' and Sailors' Home, Bath—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Ophthalmic Surgeon.....	Wheelock Rider.....	Aug. 1, 1889	\$300
Matron.....	Osie M. Lamberson.....	Nov. 10, 1884	500
Electrical Engineer and Dynamo Tender.....	George Barber.....	Mar. 1, 1895	540
Electric Light Man.....	Anthony Schonwelts.....	Aug. 16, 1889	540
*Chaplain.....	Rev. B. S. Sanderson.....	.....	300
* do.....	Rev. C. N. Frost.....	.....	300
* do.....	Rev. I. C. Davis.....	.....	300
* do.....	Rev. George H. Dryer.....	.....	300
* do.....	Rev. James Griffin.....	.....	300

Class III.

Farmer.....	Baskin Freeman.....	April 1, 1897	600
Fireman.....	John McNally.....	Feb. 1, 1892	540
do.....	Dennis Cuffney.....	Mar. 1, 1890	540
do.....	Andrew J. Haggerty.....	Nov. 1, 1892	540
do.....	James Lee Smith.....	Dec. 1, 1897	540
Steamfitter.....	James Collins.....	Oct. 1, 1897	540
Gardener.....	Robert McCullough.....	Mar. 15, 1897	420
Cook.....	F. C. Rich.....	Nov. 20, 1900	600
do.....	Joseph McGuire.....	April 1, 1895	600
Baker.....	Albert Lane.....	Oct. 1, 1889	600
Blacksmith.....	Frank Rohan.....	Dec. 1, 1897	480
Head Nurse.....	Mary E. Cross.....	Nov. 10, 1890	480
Nurse.....	Cora Lackey.....	Aug. 1, 1894	300
do.....	Catherine Shumley.....	Sept. 10, 1894	300
do.....	Ruth McCune.....	Sept. 16, 1893	300
do.....	Ella Myers.....	July 20, 1895	300
do.....	Leslie E. Voorhees.....	May 20, 1897	300
do.....	Lucy Hess.....	June 1, 1897	300
do.....	Bertha Tripp.....	June 1, 1897	300
do.....	Anna Wright.....	June 1, 1897	300
Superintendent Mess Hall and Kitchen.....	William M. Ware.....	Dec. 1, 1897	780

Craig Colony, Sonyea.

Unclassified Service.

Manager.....	Frederick Peterson, M. D.....	May 16, 1895	None
do.....	William H. Cuddeback.....	May 16, 1895	None
do.....	Charles E. Jones, M. D.....	May 16, 1895	None
do.....	Mrs. J. B. Wadsworth.....	May 16, 1895	None
do.....	Enoch C. Bell.....	April 23, 1897	None
do.....	Mrs. Jeanette R. Hawkins.....	May 16, 1895	None
do.....	Oliver P. Hurd.....	May 16, 1895	None
do.....	Percy L. Lang.....	April 23, 1897	None
do.....	Hulbert E. Brown.....	May 16, 1895	None
do.....	Hon. James H. Loomis.....	April 23, 1896	None
do.....	Anson S. Thompson, M. D.....	Oct. 7, 1895	None
do.....	Mrs. Katharine H. Salmon.....	Oct. 28, 1895	None

Class I.

Steward.....	Truman L. Stone.....	Oct. 1, 1897	\$1,500
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Class II.

Medical Superintendent.....	William P. Spratling, M.D.....	April 1, 1895	4,000
First Assistant Physician.....	L. Pierce Clark, M. D.....	Jan. 15, 1897	1,800
Medical Intern.....	Marie Louise Benoit, M. D.....	Dec. 15, 1897	600
Bookkeeper.....	Henry J. Flanagan.....	April 1, 1897	840

* Rule VIII, 7 (a).

Craig Colony, Sonyea—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Storekeeper.....	Archibald C. McFetridge..	Nov. 15, 1897	\$480
Apothecary.....	Levant B. Batcheller.....	Nov. 10, 1897	480
Matron.....	Elizabeth D. Holt.....	Feb. 5, 1898	1,000
Stenographer.....	Florence A. Olmstead.....	Aug. 27, 1895	480
Teacher.....	E. Luella Coffin.....	Sept. 28, 1896	540
Engineer.....	Jesse F. Miller.....	Dec. 20, 1895	1,000
Assistant Steam Engineer.....	Edward M. Logan.....	Mar. 1, 1897	600

Class III.

Usher.....	Kate M. Sherman.....	May 10, 1897	216
Ward Helper.....	Marion I. Dolan.....	Nov. 8, 1897	216
Laundryman.....	Martin Fitzgerald.....	April 30, 1897	480
Laundress.....	Lizzie Zinner.....	Mar. 28, 1896	240
do.....	Clara Jischke.....	June 22, 1897	180
do.....	Ida Smith.....	Dec. 18, 1897	192
Florist.....	Warren B. Madison.....	Oct. 1, 1897	480
Gardener.....	William S. Cameron.....	Mar. 8, 1897	300
Poultryman.....	J. Emory Magee.....	Dec. 7, 1897	300
Farmer.....	Paul R. Kingston.....	April 1, 1895	600
Dairyman.....	Duncan McRae.....	Aug. 1, 1896	420
Carpenter.....	Frank H. Stevens.....	Aug. 15, 1896	600
Fireman.....	William Patton.....	Jan. 16, 1896	480
do.....	Robert W. Oakley.....	Jan. 20, 1896	420
Watchman.....	James McMichael.....	Jan. 16, 1896	384
Seamstress.....	Etta Osbon.....	Mar. 10, 1896	216
Baker.....	William T. Noble.....	Feb. 7, 1896	480
Cook.....	Jessie C. Grant.....	Mar. 2, 1896	480
do.....	Kate M. Crofoot.....	May 26, 1896	264
do.....	Sarah Hannon.....	Sept. 14, 1896	240
do.....	Catherine Shea.....	Dec. 30, 1896	192
do.....	Josephine Dailey.....	Jan. 25, 1897	192
Supervisor.....	William J. Hunt.....	Dec. 31, 1897	360
do.....	Fred H. Crofoot.....	Dec. 31, 1896	360
Nurse.....	Kay Cook.....	Jan. 28, 1896	288
do.....	Thomas Hunt.....	July 7, 1896	240
do.....	Harriet Estes.....	June 6, 1896	240
do.....	Sate Chrisfield.....	Feb. 21, 1896	216
do.....	Carl J. Beach.....	Nov. 24, 1897	240
do.....	Henry B. Chase.....	Dec. 1, 1897	240
do.....	Mary T. Cosgrove.....	May 17, 1897	240
do.....	Joseph J. Gray.....	Jan. 12, 1897	240
do.....	Gertrude A. Hoxie.....	Nov. 1, 1897	216
do.....	Clarence Kenney.....	April 27, 1897	300
do.....	Frank Lane.....	Sept. 10, 1897	240
do.....	Thomas McGarty.....	Nov. 24, 1897	240
do.....	Hugh M. Magee.....	Mar. 8, 1897	192
do.....	Anna M. Murray.....	May 22, 1897	360
do.....	Maud J. Patterson.....	July 1, 1897	240
do.....	Nelle A. Sullivan.....	Aug. 3, 1897	216
do.....	Alexis Wilbur.....	Jan. 20, 1897	216
do.....	Edward B. Fitzgerald.....	Dec. 29, 1897	216

Western House of Refuge for Women, Albion.

Unclassified Service.

Manager (President).....	William B. Dye.....	Feb. 27, 1893	None
do.....	Edward C. Walker.....	Feb. 27, 1893	None
do (Treasurer).....	Clara M. Waterman.....	May 10, 1893	None
do (Secretary).....	Mrs. Sarah J. Fee.....	May 10, 1893	None
do.....	Ira Edwards.....	May 10, 1897	None
do.....	Edward Munson, M. D.....	May 10, 1897	None

Class I.

Steward.....	William Parmlee.....	Nov. 1, 1897	\$1,200
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Western House of Refuge for Women, Albion—(Continued).

Class II.

Position.	NAME.	Date of entrance into position.	Compensation.
Superintendent	Mary K. Boyd	Sept. 30, 1898	\$1,200
Assistant Superintendent	Alice E. Curtin	Sept. 30, 1895	600
Physician	Harriet N. Watson, M. D.	Sept. 30, 1898	Fees
Matron	Margaret Meldrum	Dec. 1, 1893	\$800
Book and storekeeper	Florence Green	Oct. 1, 1896	540

Class III.

Supervisor	Laura Chamberlain	June 1, 1895	450
do	Alice E. Burbank	Sept. 1, 1895	480
do	Margaret X. Rigney	Sept. 1, 1897	480
Assistant Supervisor	Elizabeth Glidden	Aug. 1, 1894	360
do	Anna B. Stillwell	Mar. 11, 1897	300
do	Alice E. Mathes	Sept. 1, 1897	300
Assistant Matron	Ida Kingston	Mar. 26, 1896	300
do	Mary L. McShea	Dec. 1, 1893	480
Housekeeper and Baker	Ella R. Wood	Sept. 9, 1893	480
Housekeeper	Louise Thompson	June 1, 1895	300
Seamstress, Instructor	Sarah A. Green	Aug. 6, 1897	300
Nurse	Elizabeth Walden	April 1, 1894	360
Nightwatch	Elizabeth Wendell	April 1, 1896	300
Watchman	Andrew Van Dell	Dec. 1, 1897	480
Laundress	Kate Kearney	May 30, 1895	300
Carpenter	William D. English	Aug. 1, 1895	840
Steamfitter	Fred Wescott	Sept. 1, 1897	720
Fireman	Eugene Mahony	Nov. 1, 1893	480
do	George E. Bidwell	June 1, 1897	480
Day Patrol and Gardner	Patrick Sullivan	Jan. 3, 1896	480

Custodial Asylum, Rome.

Unclassified Service.

Manager	Jim Stevens	Mar. 20, 1895	None
do	Joseph I. Sayles	Mar. 20, 1895	None
do	F. Stuart Williams	Mar. 20, 1895	None
do	Fremont W. Spicer	Mar. 20, 1895	None
do	Frank T. Gorton, M. D.	Mar. 20, 1895	None
do	Eugene H. Conant	Mar. 20, 1895	None
do	William H. Cloher, Jr.	Mar. 20, 1895	None
do	Earle S. Batcheller	Mar. 20, 1895	None
do	Homer T. Fowler	Mar. 20, 1895	None
do	Henry L. Gates	Oct. 11, 1897	None

Class I.

Treasurer	J. Millard Brainerd	June 8, 1897	\$1,200
Steward	James T. Stone	Mch. 27, 1896	1,200

Class II.

Superintendent	John F. FitzGerald, M. D.	May 1, 1894	4,000
Assistant Physician	Charles Bernstein, M. D.	Jan. 1, 1895	1,200
Bookkeeper	Gustavus M. Palmer	April 17, 1896	600
Stenographer	Clara J. Van Gorder	Mch. 25, 1896	360
Storekeeper	Fred S. Smith	Dec. 6, 1897	420
Chief Fireman	George H. Kellogg	Nov. 4, 1896	900

Class III.

Gardener	Thomas Holleron	Jan. 1, 1895	600
Farmer	George Teal	April 1, 1896	600
Carpenter	George C. Bessee	Oct. 7, 1895	540
Baker	John U. Grass	Feb. 1, 1895	43
Painter	William B. Hickox	April 18, 1897	43

Custodial Asylum, Rome—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Fireman.....	Curtis C. Demorest.....	July 26, 1897	\$360
do	Howard Goff.....	Nov. 12, 1897	360
do	James J. Lynch.....	Dec. 29, 1897	360
Seamstress.....	Emma Lough.....	July 20, 1896	240
Housekeeper.....	Elizabeth Esenwine.....	May 1, 1897	440
Supervisor.....	Minnie B. Pierce.....	May 1, 1897	300
Cook.....	Della Johnston.....	Sept. 6, 1897	420
Laundryman.....	George Esenwine.....	Oct. 12, 1896	420
Attendant.....	John McMahon.....	Jan. 1, 1895	360
do	Henry F. Isenecker.....	Jan. 1, 1895	360
do	Edwin J. Hughes.....	Jan. 1, 1895	360
do	Frank A. Fisher.....	Jan. 1, 1895	360
do	Charles Beck.....	May 1, 1895	360
do	Charles Sullivan.....	Jan. 1, 1895	360
do	Charles H. Wilson.....	July 8, 1896	360
do	Michael T. Burke.....	May 14, 1896	300
do	William Edes.....	Oct. 13, 1896	300
do	Lawrence Concannon.....	Nov. 24, 1896	500
do	Nettie B. Greenia.....	Jan. 1, 1895	216
do	Julia Cully.....	Jan. 1, 1895	240
do	Elizabeth Smith.....	June 15, 1896	192
do	Martha Dawes.....	Sept. 12, 1896	192
do	Bessie Lynch.....	Mar. 15, 1895	192
do	Nettie Fike.....	July 15, 1896	192
do	Lillian Wilson.....	Oct. 14, 1896	192
do	Ellen Clark.....	May 26, 1897	180
do	Mary Fitzgerald.....	July 6, 1897	180
do	Gertrude G. Hayes.....	Nov. 30, 1897	168
do	May Humphrey.....	Sept. 11, 1897	180
do	Amelia La Duke.....	Aug. 14, 1897	192
do	William Evans.....	June 11, 1897	264
do	Jessie Hitchcock.....	Sept. 11, 1897	180
do	Arthur J. Mooney.....	June 28, 1897	264
do	Phillip Stooks.....	July 12, 1897	264
do	Roscoe Sweatman.....	May 8, 1897	264
do	Fred H. Wickham.....	Oct. 15, 1897	264
do	Libbie E. Hart.....	Dec. 8, 1897	168

Custodial Asylum, Newark.

Unclassified Service.

Manager.....	Charles McLouth.....	Nov. 17, 1892	Expenses
do	Edwin K. Burnham.....	Mar. 17, 1892	Expenses
do	Nellie R. Hotchkiss.....	Feb. 7, 1895	Expenses
do	George O. Baker.....	Feb. 7, 1895	Expenses
do	Gertrude A. Moss.....	July 11, 1893	Expenses
do	Ellery G. Allen.....	Feb. 7, 1895	Expenses
do	Silas N. Gallup.....	May 14, 1895	Expenses
do	Richard P. Groat.....	Jan. 30, 1895	Expenses
do	Augusta H. Beach.....	Jan. 30, 1895	Expenses

Class II.

Superintendent..	C. W. Winspear.....	July 1, 1893	\$1,800
Matron.....	Gertrude E. Winspear, M. D.	July 1, 1893	1,000
Physician.....	M. Alice Brownell.....	Aug. 21, 1891	1,000
Storekeeper.....	Kate J. Rahill.....	Oct. 1, 1894	480
Stenographer and Bookkeeper.....	Belle R. Norton.....	Oct. 1, 1894	480
Issuing Clerk.....	Margaret Rahill.....	Oct. 1, 1894	300
Teacher.....	Alice Burnett.....	Sept. 21, 1893	300
Engineer.....	D. J. Rehklau.....	Sept. 1, 1891	900

Class III.

Supervisor.....	Mary Kester.....	Feb. 1, 1895	300
do	Mary Linquist.....	May 17, 1897	216
do	Amelia Sauter.....	Aug. 9, 1893	216

Custodial Asylum, Newark—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Industrial Teacher.....	Deborah O. Tucker.....	Aug. 1, 1879	\$216
Assistant Industrial Teacher....	Emma Menta.....	Mar. 1, 1887	198
Seamstress.....	Anna E. Utter.....	July 15, 1895	192
Assistant Seamstress.....	Lena Converse.....	May 24, 1892	168
Baker.....	Margaret Weaver.....	Nov. 1, 1895	300
Alternate Supervisor.....	Della Austin.....	Dec. 31, 1897	216
Laundress.....	Emma Tucker.....	June 1, 1891	216
do.....	Josephine McCulloch.....	June 20, 1893	216
Nurse.....	Sarah J. Page.....	Jan. 2, 1894	300
do.....	Alderett C. Goodell.....	Nov. 20, 1895	180
Store Attendant.....	Gertrude G. Lally.....	May 8, 1897	240
Cook.....	Elizabeth Soltzell.....	Mar. 9, 1896	192
do.....	Lena Fischer.....	June 21, 1891	192
do.....	Elizabeth Schuman.....	Feb. 24, 1896	192
do.....	Maggie Merrick.....	Nov. 20, 1894	180
Fireman.....	John Kaupp.....	Nov. 10, 1895	480
do.....	Charles A. Briggs.....	Oct. 1, 1897	480
Carpenter.....	W. H. Parris.....	April 1, 1893	500
Gardener.....	George Schuch.....	Jan. 20, 1891	900
Attendant.....	Lillian P. Winslow.....	Dec. 1, 1897	120
do.....	Emma J. Beatty.....	Dec. 1, 1897	120
do.....	Beatrice Ryckman.....	Dec. 13, 1897	120
do.....	Sarah Irwin.....	Oct. 1, 1899	198
do.....	Jessie Bostwick.....	April 1, 1891	180
do.....	Phoebe E. Yelland.....	June 1, 1896	180
do.....	Ira Smith.....	Mar. 6, 1896	132
do.....	Anne Herrigan.....	Sept. 2, 1894	132
do.....	Lena Herman.....	May 7, 1894	182
do.....	Nellie Engels.....	Jan. 16, 1895	144
do.....	Ella Garlock.....	Dec. 11, 1893	144
do.....	Carrie Perduyne.....	Sept. 17, 1896	144
do.....	Jennie Stratton.....	Feb. 6, 1896	144
do.....	Phoebe Guenther.....	Sept. 1, 1891	182
do.....	Bernice W. Shultz.....	July 15, 1895	132
do.....	Anna K. Doyle.....	Mar. 1, 1896	180
do.....	Frances E. Wright.....	Nov. 1, 1896	120
do.....	Alice Prendergast.....	Feb. 4, 1896	120
do.....	Myrta E. Winegar.....	July 9, 1897	132
do.....	Edna Appleman.....	Jan. 18, 1897	144
do.....	Jessie Stillman.....	Mar. 17, 1893	132
do.....	Ida M. Garrison.....	June 7, 1897	120
do.....	Nancy M. Henlon.....	Oct. 26, 1897	132
do.....	Sarah H. Hoftalling.....	Oct. 20, 1897	132
do.....	Grace Keach.....	Sept. 12, 1897	120
do.....	Adelaide Lusk.....	June 21, 1897	120
do.....	Ada Phillips.....	Jan. 29, 1897	120
do.....	Effie Ryckman.....	April 5, 1897	120

Institution for Feeble-Minded Children, Syracuse.

Unclassified Service.

Trustee.....	John W. Yale.....	Mar. 17, 1892	None
do.....	F. D. Huntington.....	Mar. 17, 1892	None
do.....	A. W. Palmer.....	Mar. 17, 1892	None
do.....	John T. Mott.....	Mar. 17, 1892	None
do.....	Mrs. Alta P. Crouse.....	Feb. 23, 1893	None
do.....	Lewis F. Weaver.....	April 25, 1894	None
do.....	N. F. Graves.....	May 10, 1899	None

Class I.

Treasurer.....	Alfred Wilkinson.....	Jan. 1, 1885	\$750
Steward.....	John L. Barnett.....	Aug. 1, 1899	1,500

Class II.

Superintendent.....	James C. Carson, M. D.....	Oct. 8, 1884	4,000
Matron.....	Alvina E. Wood.....	—, 1863	900
Medical Attendant.....	Julia St. J. Wygant, M. D.....	Mar. 1, 1895	1,300

Institution for Feeble-Minded Children, Syracuse—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Clerk.....	William J. Hallworth.....	April 27, 1880	\$800
Teacher.....	Sarah P. Young.....	—, 1881	400
do.....	Carrie P. Sheldon.....	Nov. 1, 1889	400
do.....	M. Elizabeth Cook.....	Mar. 4, 1888	350
do.....	Lottie M. Howe.....	April 30, 1886	350
do.....	Mary F. Cozzins.....	Sept. 1, 1879	300
do.....	Florence M. Stacey.....	Aug. 24, 1897	250
do.....	Olive M. Sawtelle.....	Aug. 31, 1877	400
do.....	Margaret H. Ney.....	June 7, 1888	300
do.....	Cornelia S. Deuel.....	Jan. 7, 1885	300
do.....	Edna A. Conger.....	May 4, 1896	300
Storekeeper.....	Norell E. Smith.....	Sept. 1, 1896	600
Engineer.....	Antonio W. Losky.....	April 8, 1892	600
Assistant Matron.....	Louise C. Richards.....	Nov. 1, 1888	400
do.....	Emma Losky.....	Sept. 1, 1895	400

Class III.

Baker.....	Joseph Fuller.....	July 1, 1887	600
Gardener.....	George Han.....	Oct. 1, 1886	540
Painter.....	M. N. Hickok.....	May 8, 1893	540
Carpenter.....	Charles F. Finkbeiner.....	May 1, 1880	600
Fireman.....	Michael F. Casey.....	April 19, 1897	540
do.....	Harry Grevelding.....	June 1, 1895	480
Watchman.....	John H. Carrier.....	May 1, 1884	480
Shoemaker.....	Charles F. Snyder.....	Sept. 1, 1890	510
Housekeeper.....	Alice M. Palmer.....	Nov. 7, 1892	360
Office Girl.....	Nellie Finkbeiner.....	July 1, 1894	180
Cook.....	Ellen Roach.....	June 1, 1879	240
do.....	Ellen Halsey.....	Aug. 25, 1891	180
do.....	Lizzie Stahberg.....	Sept. 20, 1892	156
do.....	Lizzie Stahberg.....	Oct. 5, 1897	192
Tailoress.....	Mary E. O'Brien.....	Feb. 1, 1893	240
Hosemaker.....	Kittie O'Brien.....	Mar. 1, 1896	180
Gloakmaker.....	Lillie Hatch.....	Oct. 18, 1896	180
Seamstress.....	Lillie Hatch.....	Mar. 11, 1895	192
do.....	Hattie Wagner.....	Aug. 25, 1892	144
do.....	Annie Dolan.....	Dec. 29, 1879	144
do.....	Annie Erwin.....	Oct. 8, 1897	132
do.....	Annie Higgins.....	May 1, 1886	156
Laundress.....	Mayme Carey.....	Mar. 1, 1896	144
do.....	Mary C. Ryan.....	May 6, 1895	144
do.....	Julia Dillon.....	Mar. 29, 1880	156
do.....	Maggie Doling.....	July 1, 1877	216
do.....	Mary Crough.....	Feb. 16, 1895	144
Night Watch.....	Belle Erwin.....	Dec. 10, 1885	216
do.....	Maggie Norris.....	Dec. 3, 1889	180
Usher.....	Joanna L. Hayes.....	Aug. 14, 1870	180
Nurse.....	Fannie E. Brooks.....	June 20, 1893	216
Supervisor.....	Delia Steinmetz.....	Sept. 23, 1891	168
do.....	Frederick H. Bristow & wife.....	July 15, 1893	600
do.....	James A. Sheldon.....	Feb. 18, 1890	420
do.....	Lydia A. Sheldon.....	Oct. 1, 1878	180
do.....	Minnie L. Stansell.....	June 15, 1891	240
do.....	Anna C. Frezon.....	Nov. 1, 1885	216
do.....	Louise H. Friers.....	Sept. 21, 1881	180
do.....	Rose Lundy.....	May 29, 1891	168
do.....	Joanna Ryan.....	Sept. 21, 1881	168
do.....	Flora E. Martin.....	April 8, 1895	192
Attendant.....	Maud C. Vincett.....	Oct. 21, 1886	132
do.....	Margaret Croak.....	Sept. 9, 1896	132
do.....	Emma Ferrer.....	July 14, 1896	132
do.....	Walter S. Rand.....	Feb. 17, 1881	324
do.....	Thomas F. Grant.....	Dec. 22, 1874	376
do.....	Frederick J. Cooper.....	July 15, 1891	232
do.....	George Sheridan.....	Oct. 11, 1892	240
do.....	Martin Larkin.....	June 27, 1892	240
do.....	John Callahan.....	April 7, 1892	240
do.....	Mamie Womhart.....	May 4, 1896	132
do.....	Addie Johnston.....	May 30, 1891	156

Institution for Feeble-Minded Children, Syracuse—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant	Florence Phillips	May 16, 1895	\$144
do	Emily R. Menzies	Oct. 24, 1894	144
do	Julia C. Blume	Sept. 11, 1896	156
do	Mary A. Bonner	Nov. 27, 1877	133
do	Minnie Trayhn	Dec. 30, 1895	144
do	Mary A. Boyle	Mar. 1, 1888	144
do	Annie Green	Dec. 8, 1896	133
do	Ann See	May 12, 1898	144
do	Nellie Bristol	Mar. 14, 1893	132
do	Ellen Woodruff	Aug. 13, 1891	133
do	Mary F. Long	Sept. 25, 1893	133
do	Katherine E. Dolan	May 21, 1895	133
do	Annie Barrett	May 23, 1896	133
do	Mary B. Whelan	Aug. 15, 1896	132
do	Elbert J. Howe	July 17, 1897	216
do	Daisy E. McIntyre	Oct. 8, 1897	120
do	Bertha M. Thomsen	April 20, 1897	120
do	Maud M. Watkins	Oct. 1, 1897	120
do	Fanny P. Chamberlain	June 1, 1895	180
do	William Burch	Nov. 2, 1895	180
do	Jennie Rappl-ye	April 1, 1896	180

House of Refuge for Women, Hudson.

Unclassified Service.

Manager	Charles P. Cook, M. D.	April 30, 1895	None
do	Sarah C. B. Cady	April 30, 1895	None
do	Herman Livingston	April 23, 1896	None
do	Elizabeth S. Brown	April 14, 1897	None

Class I.

Steward	Newton Schermerhorn	Aug. 1, 1897	\$1,800
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Class II.

Superintendent	Frances Olmstead Abbott ..	Oct. 1, 1897	1,500
Clerk of Board of Managers	William R. Hanna	Oct. 1, 1896	900
Teacher	Julia E. Barry	Mar. 1, 1895	420
do	Cora S. Morse	Feb. 19, 1896	500
Vocal Instructor	Edwin C. Rowley	July 1, 1897	400

Class III.

Supervisor	Kate M. Ransom	Apr. 1, 1892	360
do	Julia B. Rider	Oct. 1, 1895	420
do	Melissa C. Patten	Dec. 1, 1891	600
do	Ella L. Hearn	Sept. 23, 1894	500
do	Anna R. Spoor	Nov. 1, 1897	500
General Supervisor	Della G. Ray	Oct. 1, 1897	600
Matron of Prison	Mary Osborn	Nov. 1, 1897	300
Assistant Matron of Prison	Mary Johnson	Nov. 1, 1897	300
Assistant Supervisor	Mary E. Shultz	Dec. 22, 1894	360
do	Margaret E. Keefe	Oct. 1, 1892	300
do	Mary Pallette	Oct. 21, 1895	300
do	Carrie McKenzie	Mar. 1, 1893	540
do	Sarah E. Henry	Nov. 20, 1893	300
do	Mary A. Pratt	Nov. 21, 1894	300
do	Jane Ray	Nov. 21, 1894	300
do	Annie C. Acly	May 15, 1893	360
do	Thalia M. Avery	Feb. 9, 1897	300
do	Minnie C. Bradley	April 1, 1897	300
do	Alida C. Coe	July 1, 1897	300
do	Sarah Eagleson	Nov. 1, 1897	360
do	Mary P. Gaul	Mar. 1, 1897	300

House of Refuge for Women, Hudson—(Continued).

Class III—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Assistant Supervisor.....	Nellie M. Leonard.....	Mar. 10, 1897	\$300
do	Ada Rivenburgh.....	Oct. 4, 1897	300
do	Elizabeth A. Roe.....	July 1, 1897	300
do	Maye B. Rudgers.....	Sept. 1, 1897	300
do	Clara A. Whitmarsh.....	Oct. 1, 1897	300
do	Mary Little.....	Dec. 5, 1897	300
do	Jane A. Winslow.....	Oct. 23, 1891	500
do	Sarah E. Nelson.....	May 1, 1893	300
do	Emma M. Quiggle.....	Aug. 15, 1893	360
do	Clara Whitmarsh.....	Dec. 1, 1898	300
do	Emma A. Fraleigh.....	Oct. 23, 1891	500
do	Frocene Brolley.....	Jan. 10, 1896	300
do	Elizabeth Rankin.....	Dec. 1, 1895	300
do	Blanche Pultz.....	June 1, 1896	300
do	Mary J. Cook.....	Feb. 14, 1891	300
do	Alice M. Bushnell.....	Oct. 20, 1895	300
Relief Officer.....	Mary M. Dewey.....	Nov. 30, 1891	300
do	Mary Fox.....	June 1, 1897	300
Watchman.....	Henry Rote.....	Nov. 1, 1897	540
do	Garrett Hennessey Jr.....	Mar. 1, 1897	540
do	Herman Bradley.....	May 1, 1897	540
do	Charles L. McArthur.....	Sept. 13, 1895	540
do	Fred A. La Brie.....	Oct. 1, 1895	540
Fireman.....	Edward Thornton.....	Oct. 1, 1889	\$55 per month
do	Samuel Montgomery.....	Oct. 11, 1889	55 per month
do	David Barry.....	Dec. 1, 1896	55 per month
do	Walter Stewart.....	Dec. 1, 1896	55 per month

Thomas Orphan Asylum.

Unclassified Service.

Manager.....	Henry R. Howland.....	Mar. 14, 1895	None
do	Wallace Jamison.....	June 24, 1895	None
do	John Echoeflin.....	Mar. 14, 1895	None
do	Samuel G. Keyes.....	Mar. 14, 1895	None
do	Newton A. Chaffee.....	Mar. 14, 1895	None
do	Heman M. Bladell.....	Mar. 14, 1895	None
do	King Tallchief.....	Mar. 14, 1895	None
do	John C. Wilbur.....	Mar. 14, 1895	None
do	Harrison Halftown.....	Mar. 14, 1895	None
do	Lily Lord Tift.....	Mar. 14, 1895	None

Class I.

Kindergartner.....	Augusta H. Loeb.....	Sept. 1, 1897	\$300
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Class II.

Superintendent.....	George I. Lincoln.....	April 1, 1895	1,500
Matron.....	Emily P. Lincoln.....	April 1, 1895	700
Physician.....	A. D. Lake, M. D.....	April 1, 1895	300
Teacher.....	John E. Livermore.....	Dec. 1, 1897	500
Music Teacher.....	Nettie Reynolds.....	Sept. 1, 1896	300
Engineer.....	Fred Russell.....	April 8, 1895	500
Storekeeper and Matron.....	Halla Wells.....	April 1, 1895	300
Assistant Storekeeper.....	Sarah Wells.....	Dec. 1, 1895	240

Class III.

Head Farmer.....	Hugh DeCondis.....	Jan. 1, 1897	480
Carpenter.....	Ransom G. King.....	Jan. 19, 1897	480
Fireman.....	Frank Howard.....	June 1, 1895	240
Laundress.....	Eva Platt.....	Oct. 1, 1897	208
Seamstress.....	Carrie Sisson.....	June 1, 1895	208
Cook.....	Daisy Davis.....	Jan. 1, 1897	208
do	May M. Sisson.....	Sept. 1, 1897	240
Head Attendant.....	Madge Mayo.....	Sept. 1, 1897	300

FIFTEENTH REPORT OF THE

Thomas Orphan Asylum—(Continued).

Class III—(Co. th. us.).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	Gladys Hammon.....	April 1, 1895	\$206
do	Ursula Dawley.....	Oct. 1, 1897	206
do	Louise Loeb.....	Oct. 1, 1897	206
do	May R. L. Reed.....	Nov. 1, 1897	206

Woman's Relief Corps Home, Oxford.

Unclassified Service.

Manager.....	Margaret A. Hibbard.....	Dec. 15, 1895	None
do	Edward J. Mitchell.....	Jan. 23, 1895	None
do	Mrs. Kate E. Jones.....	Jan. 23, 1895	None
do	Mrs. Anna F. Cleary.....	Jan. 23, 1895	None
do	Richard Curran.....	Jan. 23, 1895	None
do	Mrs. Sarah C. Nichols.....	May 9, 1895	None
do	Mrs. Ada G. Mohr.....	May 9, 1895	None
do	George H. Treadwell.....	May 9, 1895	None
do	Laura B. Clarke.....	May 1, 1897	None

Class I.

Superintendent.....	Ellen M. Putnam.....	April 1, 1897	\$1,500
Storekeeper.....	Frank Putnam.....	April 1, 1897	430
Engineer.....	Garrett B. Brower.....	Nov. 4, 1897	430

Class II.

Bookkeeper.....	Daniel W. Redmond.....	May 1, 1897	\$1 per day
Assistant Steam Engineer.....	Charles A. Alexander.....	Dec. 15, 1897	1 \$365

Class III.

Cook.....	Mary Parks.....	April 1, 1897	160
Fireman.....	Bert Fleming.....	April 19, 1897	300

Law Library, Newburgh.

Class II.

Librarian.....	William F. Corley.....	Jan. 1, 1897	600
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Miscellaneous Reporter.

Unclassified Service.

Reporter.....	Robert G. Scherer.....	Jan. 1, 1896	4,500
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Class II.

Assistant Reporter.....	W. S. Gibbons.....	June 1, 1894	1,500
do	E. G. Day.....	Feb. 1, 1893	1,500

Court of Appeals.

Unclassified Service.

Chief Judge.....	Alton B. Parker.....	Jan. 1, 1898	12,500
Associate Judge.....	Albert Haight.....	Jan. 1, 1895	12,000
do	John Clinton Gray.....	Jan. 25, 1893	12,000
do	Irving G. Vann.....	Jan. 1, 1896	12,000
do	Edward T. Bartlett.....	Jan. 1, 1894	12,000
do	Dennis O'Brien.....	Jan. 1, 1890	12,000
do	Celora E. Martin.....	Jan. 1, 1896	12,000

Court of Appeals—(Continued).

Class I.

Position.	NAME.	Date of entrance into position.	Compensation.
Clerk.....	William H. Shankland.....	Nov. 28, 1897	\$5,000
Deputy Clerk.....	Richard M. Barber.....	Dec. 17, 1897	3,000
Law Examiner.....	Joseph A. Welch.....	Jan. 1, 1898	2,800
do.....	William F. Goodelle.....	Oct. 31, 1894	2,500
do.....	Franklin M. Danaher.....	Oct. 31, 1894	2,500
Clerk to Judge Parker.....	T. Beekman Westbrook.....	Jan. 14, 1898	1,300
do do Gray.....	Annie Ghio.....	Jan. 26, 1898	1,300
do do O'Brien.....	James R. Ward.....	Apr. 15, 1897	1,300
do do Haight.....	John A. Hayes.....	Apr. 1, 1898	1,300
do do Martin.....	Emma J. Harris.....	May 1, 1897	1,200
do do Vann.....	Albert B. Morgan.....	Dec. 14, 1897	1,200
do do Bartlett.....	George R. Turner.....	Oct. 15, 1896	1,200

Class II.

Remittitur Clerk.....	William M. Honig.....	Dec. 17, 1897	2,500
Financial and Certificate Clerk.....	John H. Reynolds.....	Nov. 22, 1895	2,000
Messenger.....	William J. Armstrong.....	Feb. 1, 1895	800
Crier.....	Robert D. Cook.....	Oct. 6, 1894	1,500
Librarian, Stenographer and Consultation Clerk.....	Alfred S. Brolley.....	Jan. 1, 1893	2,500
Asst. Librarian and Stenographer.....	Buel C. Andrews.....	Jan. 1, 1893	2,200
Stenographer.....	William J. Leconte.....	Dec. 3, 1894	1,500
do.....	W. B. Estabrook.....	Dec. 30, 1896	1,500
do.....	G. Herbert Cone.....	Dec. 30, 1896	1,500
Court Attendant.....	Walter L. Childs.....	Mar. 5, 1895	1,500
Court Messenger.....	Isaac H. Benjamin.....	Mar. 19, 1891	750

State Reporter.

Class I.

State Reporter.....	Edmund H. Smith.....	Oct. 7, 1896	5,000
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Class II.

Assistant.....	Edwin A. Bedell.....	Oct. 1, 1888	3,700
Clerk.....	Dickinson Courtney.....	Feb. 1, 1872	2,100
do.....	Louis J. Rezzemini.....	June 1, 1888	1,200

Supreme Court, Appellate Division.

FIRST DEPARTMENT.

Unclassified Service.

Justice.....	Charles H. Van Brunt.....	Jan. 1, 1884	17,500
do.....	George C. Barrett.....	Jan. 1, 1886	17,500
do.....	Edward Patterson.....	Jan. 1, 1887	17,500
do.....	Morgan J. O'Brien.....	Jan. 1, 1888	17,500
do.....	George L. Ingraham.....	Jan. 1, 1891	17,500
do.....	William Rumsey.....	Jan. 1, 1895	17,500
do.....	Chester B. McLaughlin.....	Jan. 1, 1896	17,500

Class I.

Clerk.....	Alfred Wagstaff.....	Jan. 1, 1896	5,000
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Class II.

Deputy Clerk.....	William Lamb, Jr.....	Jan. 1, 1896	2,500
Assistant Deputy Clerk.....	Dennis A. McLaughlin.....	May 1, 1895	2,000
do do.....	Peter L. Halpin.....	May 1, 1896	2,000
Librarian.....	Thomas S. Hume.....	Jan. 1, 1896	2,500
Stenographer.....	Frederick D. Storey.....	Jan. 1, 1896	2,500
do.....	Benjamin H. Doane.....	Jan. 1, 1896	2,500
do.....	Emilie M. Rautenberg.....	May 9, 1896	2,500
Typewriter.....	Julia F. Walsh.....	May 1, 1896	1,200

Supreme Court, Appellate Division—(Continued).

SECOND DEPARTMENT.

Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Justice	William W. Goodrich	Jan. 1, 1897	\$8,500
do	Edgar M. Cullen	Jan. 1, 1895	8,500
do	William Bartlett	Jan. 1, 1896	8,500
do	Edward Hatch	Jan. 1, 1896	8,500
do	John Woodward	Jan. 1, 1896	8,500

Class I.

Clerk	John B. Byrne	Jan. 3, 1896	5,000
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Class II.

Deputy Clerk	Robert B. Sedgwick	Jan. 1, 1896	3,500
Crier	George A. Price	Jan. 3, 1896	1,200
Attendant	John Connell	April 30, 1896	1,200
do	Thomas C. Elliott	April 30, 1896	1,200
do	Andrew Reid	April 30, 1896	1,200
do	Charles W. Strout	Jan. 1, 1897	1,200

THIRD DEPARTMENT.

Unclassified Service.

Justice	Charles E. Parker	Jan. 1, 1896	7,200
do	Milton H. Merwin	Jan. 1, 1896	7,200
do	John R. Putnam	Jan. 1, 1896	7,200
do	D. Cady Herrick	Jan. 1, 1896	7,200
do	Judson S. Landon	Jan. 1, 1896	7,200

Class I.

Clerk	Joseph Holland	Jan. 1, 1891	2,000
Clerk to Justice Parker	Frank Beck	May 1, 1896	800

Class II.

Attendant	John W. McClelland	Jan. 1, 1896	900
do	James Skillcorn	Jan. 1, 1896	900
do	John A. Heenan	Jan. 1, 1896	900

FOURTH DEPARTMENT.

Unclassified Service.

Justice	George A. Hardin	Jan. 1, 1896	7,200
do	William H. Adams	Jan. 1, 1898	7,200
do	Manly C. Green	Jan. 1, 1891	7,200
do	David L. Follett	Jan. 1, 1899	7,200
do	Hamilton Ward	Jan. 1, 1892	7,200

Class I.

Clerk	Newell C. Fulton	Feb. 1, 1896	2,000
Confidential Clerk	M. N. Howell	July 1, 1896	600
do	Eldyn Reynolds	July 1, 1896	1,000
do	W. D. Newell	July 25, 1896	900
do	N. E. Hutchens	July 25, 1896	900

Class II.

Attendant	Michael H. Radigan	Feb. 1, 1896	900
do	Edward Jones	Feb. 1, 1896	900

NEW YORK CIVIL SERVICE COMMISSION.

1137

Supreme Court.

FIRST DISTRICT.

Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Justice	Abraham R. Lawrence.....	Jan. 1, 1888	\$17,500
do	Charles H. Truax	Jan. 1, 1896	17,500
do	Frederick Smyth.....	Jan. 1, 1896	17,500
do	Charles F. MacLean.....	Jan. 1, 1896	17,500
do	John Sedgwick.....	Jan. 1, 1896	17,500
do	P. Henry Dugro.....	Jan. 1, 1887	17,500
do	John J. Freedman.....	Jan. 1, 1896	17,500
do	David McAdam.....	Jan. 1, 1896	17,500
do	H. A. Gildersleeve.....	Jan. 1, 1896	17,500
do	Henry R. Bookman.....	Jan. 1, 1896	17,500
do	Joseph F. Daly.....	Jan. 1, 1896	17,500
do	H. W. Bookstaver.....	Jan. 1, 1896	17,500
do	Henry Bischoff, Jr.....	Jan. 1, 1896	17,500
do	Roger A. Pryor.....	Jan. 1, 1896	17,500
do	Leonard A. Giegerich.....	Jan. 1, 1896	17,500
do	Miles Beach.....	Jan. 1, 1896	17,500
do	Francis M. Scott.....	Jan. 1, 1898	17,500

Class I.

Clerk to Justice	David J. Lees	Jan. 1, 1890	2,500
do do	Peter McAleer.....	Feb. 28, 1874	1,800
do do	Arthur D. Truax.....	Jan. 2, 1896	2,500
do do	Frank A. Erwin.....	Jan. 22, 1896	2,400
do do	Gerald H. Gray.....	Jan. 1, 1896	1,800
do do	Frederick Kropp.....	Jan. 1, 1896	1,800
do do	Lewis H. Freedman.....	Jan. 16, 1896	1,800
do do	Thomas F. Keogh.....	Jan. 1, 1896	2,500
do do	Reginald H. Williams.....	Jan. 1, 1896	1,800
do do	Samuel Shortridge.....	Feb. 28, 1896	2,000
do do	Algernon S. Norton.....	Jan. 1, 1896	2,500
do do	John P. Browning.....	Jan. 1, 1898	1,800
do do	William J. A. McKim.....	Jan. 1, 1896	2,500
do do	O. H. Sanderson.....	Jan. 1, 1896	2,500
do do	David R. Daly.....	Jan. 1, 1896	1,800
do do	James J. Furey.....	Jan. 1, 1898	1,800

Class II.

Special Deputy	John F. Carroll	Jan. 1, 1896	2,000
do	J. Lewis Lyon.....	Jan. 1, 1896	4,000
do	John Lerscher.....	Jan. 1, 1896	2,000
do	George F. Lyon.....	Jan. 1, 1896	2,000
do	Walter A. Brady.....	Jan. 1, 1896	2,000
do	Cornelius J. Kane.....	Jan. 1, 1896	2,000
do	Michael F. Tobia.....	May 1, 1896	2,000
do	Willis P. Miner.....	Jan. 1, 1896	2,000
do	Morris H. Brown.....	Jan. 1, 1896	2,000
do	Isiah Kaiser.....	Jan. 1, 1896	2,000
do	Hugh Donnelly.....	Jan. 1, 1896	2,000
do	Stephen A. Ferguson.....	Jan. 1, 1897	2,000
do	Henry C. Reilly.....	Jan. 1, 1896	2,000
do	Ambrose O. McCall.....	Jan. 1, 1896	2,500
do	James L. McNeirny.....	Jan. 1, 1896	2,500
do	Thomas Boese.....	Jan. 1, 1896	4,000
do	James B. F. Smith.....	Jan. 1, 1896	2,000
do	Clifford Boese.....	Jan. 1, 1896	2,000
do	J. H. Ward.....	Jan. 1, 1896	2,000
do	William H. Hill.....	Jan. 1, 1896	2,000
do	William H. Buck.....	Jan. 1, 1896	2,000
Assistant Special Deputy	Henry Welsh.....	Jan. 1, 1896	1,500
do do	William N. Penny.....	Jan. 1, 1896	1,500
do do	James J. Duff.....	Jan. 1, 1896	1,500
do do	William L. Taylor.....	Jan. 1, 1896	1,500
do do	James E. Kieran.....	Jan. 1, 1896	1,500
do do	Stephen H. Keating.....	Jan. 1, 1896	1,500
do do	William Geoghagan.....	Jan. 1, 1896	1,500

FIFTEENTH REPORT OF THE

Supreme Court—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Assistant Special Deputy.....	Edward T. McCrystal.....	Jan. 1, 1896	\$1,500
do do.....	David J. Daly.....	Jan. 1, 1896	1,500
do do.....	Edwin M. Coe.....	Jan. 1, 1896	1,500
do do.....	John H. Loos.....	Jan. 1, 1896	1,500
do do.....	Joseph Brown.....	Jan. 1, 1896	1,500
do do.....	John W. Gunzler.....	Jan. 1, 1896	1,500
do do.....	William P. Richardson.....	Jan. 1, 1896	1,500
do do.....	Nicholas J. Hayes.....	Jan. 1, 1896	1,500
do do.....	Joseph F. Early.....	Jan. 1, 1896	1,500
Crier.....	William H. Ricketts.....	Jan. 1, 1896	2,500
Assistant Crier.....	William J. Lynch.....	Jan. 1, 1896	2,000
Assistant Librarian.....	William F. Klipp.....	Nov. 5, 1896	2,000
Interpreter.....	Hugo Shultes.....	Jan. 1, 1896	2,500
Stenographer.....	William C. Huson.....	Jan. 1, 1896	2,500
do.....	William A. Donnell.....	Jan. 1, 1896	2,500
do.....	Edwin N. Robbins.....	Jan. 1, 1896	2,500
do.....	Edwin A. Kingsley.....	Jan. 1, 1896	2,500
do.....	John Cotter.....	Jan. 1, 1896	2,500
do.....	Peter J. Laughlin.....	Jan. 1, 1896	2,500
do.....	Bartholomew Moynahan.....	Jan. 1, 1896	2,500
do.....	James E. Manson.....	Jan. 1, 1896	2,500
do.....	John Standfast.....	Jan. 1, 1896	2,500
do.....	Edwin J. Shalvey.....	Jan. 1, 1896	2,500
do.....	William F. Bonynges.....	Jan. 1, 1896	2,500
do.....	Albert E. Cochran.....	Jan. 1, 1896	2,500
do.....	James J. Nealis.....	Jan. 1, 1896	2,500
do.....	John P. Martin.....	Jan. 1, 1896	2,500
do.....	Robert C. Macklin.....	Jan. 1, 1896	2,500
do.....	Henry H. Alexander.....	Jan. 1, 1896	2,500
do.....	Clifton B. Bull.....	Jan. 1, 1896	2,500
do.....	Robert Bonynges.....	Jan. 1, 1896	2,500
do.....	Henry G. Smith.....	Jan. 1, 1896	2,500
Attendant.....	Michael Brophy.....	Feb. 28, 1874	1,000
do.....	Phillip Furlong.....	Feb. 1, 1883	1,000
do.....	Henry Q. Howe.....	Mar. 26, 1891	1,000
do.....	Alexander J. McConnell.....	Oct. 31, 1894	1,000
do.....	Joseph P. Strack.....	June 10, 1894	1,000
do.....	John McDermott.....	June 1, 1893	1,000
do.....	George Schau.....	Nov. 15, 1893	1,000
do.....	Charles Dremel.....	Jan. 22, 1894	1,000
do.....	J-remiah F. Collins.....	Feb. 20, 1896	1,000
do.....	Edwin A. Watson.....	Mar. 4, 1896	1,000
do.....	James Owens, Jr.....	Jan. 2, 1896	1,000
do.....	Patrick Daley.....	Sept. 1, 1883	1,000
do.....	Thomas J. McCormick.....	Jan. 18, 1896	1,000
do.....	William P. Meehan.....	Jan. 1, 1896	1,000
do.....	Alexander B. Smith.....	Jan. 1, 1896	1,000
do.....	Robert Blum.....	Jan. 14, 1896	1,000
do.....	Henry B. Henze.....	Jan. 14, 1896	1,000
do.....	Hugo Kraemer.....	Jan. 14, 1896	1,000
do.....	Rudolph Proll.....	Jan. 14, 1896	1,000
do.....	John D. Newman.....	Jan. 2, 1888	1,000
do.....	John G. Roesch.....	Nov. 22, 1890	1,000
do.....	John F. Berrigan.....	Dec. 5, 1891	1,000
do.....	John F. McCabe.....	April 20, 1896	1,000
do.....	Frederick Merz.....	Jan. 1, 1896	1,000
do.....	Martin Sailbert.....	Jan. 1, 1896	1,000
do.....	Albert F. Wehle.....	Jan. 1, 1896	1,000
do.....	Edward R. Watson.....	Jan. 1, 1896	1,000
do.....	John F. Reilly.....	Jan. 10, 1891	1,000
do.....	James P. Wallace.....	July 31, 1891	1,000
do.....	James W. Ledwith.....	Jan. 1, 1896	1,000
do.....	James R. Cherry.....	May 14, 1898	1,000
do.....	Daniel A. Sheehan.....	Nov. 17, 1891	1,000
do.....	John Garnett.....	Dec. 16, 1895	1,000
do.....	Thomas J. Dolan.....	Nov. 15, 1894	1,000
do.....	Peter McGuire.....	Jan. 1, 1894	1,000
do.....	William A. Whelpley.....	Jan. 2, 1896	1,000
do.....	Edward H. Finney.....	Feb. 13, 1896	1,000
do.....	Albert Sanders.....	Jan. 1, 1896	1,000
do.....	Thomas Sweeney.....	Feb. 18, 1898	1,000
do.....	Theodore J. Henry.....	June 1, 1875	1,000

NEW YORK CIVIL SERVICE COMMISSION.

1139

Supreme Court—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Attendant.....	John W. Jones.....	Dec. 1, 1891	\$1,000
do	John G. Westfall.....	July 31, 1894	1,000
do	Andrew Hanneuman.....	Jan. 1, 1896	1,000
do	James Murphy.....	Mar. 15, 1897	1,000
do	John H. Hackett.....	Mar. 6, 1896	1,000
do	James P. Rogers.....	Jan. 2, 1896	1,000
do	John E. Fitzpatrick.....	Jan. 2, 1896	1,000
do	Albert Stern.....	Jan. 14, 1896	1,000
do	John McQuade.....	May 16, 1893	1,000
do	John Schultz.....	Oct. 1, 1870	1,200
do	Matthew Patten.....	May 1, 1891	1,000
do	George L. Green.....	May 1, 1891	1,000
do	George A. Tallman.....	June 31, 1893	1,000
do	John W. Martin.....	Oct. 1, 1870	1,200
do	John Rottkamp.....	Dec. 7, 1892	1,000
do	David Cahn.....	Dec. 23, 1893	1,000
do	Nicholas Haughton.....	May 12, 1896	1,000
do	Charles Knight.....	April 23, 1897	1,000
do	Charles E. Benseal, Jr.....	May 1, 1897	1,000

SECOND DISTRICT.

Unclassified Service.

Justice	William J. Gaynor.....	Jan. 1, 1894	13,300
do	Martin J. Keogh.....	Jan. 1, 1896	10,950
do	William D. Dickey.....	Jan. 1, 1896	13,300
do	Willmot M. Smith.....	Jan. 1, 1896	10,950
do	Augustus Van Wyck.....	Jan. 1, 1885	13,300
do	Garrett J. Garrettson.....	Jan. 1, 1897	10,950
do	Michael J. Hirschberg.....	Jan. 1, 1897	10,950
do	Samuel T. Maddox.....	Jan. 1, 1897	13,300
do	Jere F. Johnson.....	Oct. 13, 1897	13,300

Class I.

Clerk to Justice Keogh	Joseph F. Flattery.....	June 1, 1896	1,800
do do Dickey	Frank R. Dickey.....	June 1, 1896	2,000
do do Maddox	Edward S. Deubert.....	Mar. 1, 1897	2,000
do do Johnson	George Gotsinger.....	Oct. 18, 1897	2,000
do do Gaynor	James P. Kohler.....	April 1, 1897	2,000
do do Smith	Ryland G. Palmer.....	June 1, 1896	1,800
do do Goodrich	George A. Morse.....	Dec. 8, 1896	2,000
do do Garrettson	John J. Mulligan.....	Jan. 1, 1897	1,800
do do Hirschberg	Albert J. Buttlng.....	Jan. 27, 1897	1,800

Class II.

General Clerk	Gerard M. Stevens.....	May 1, 1886	4,500
Deputy Clerk	John P. Hudson.....	June 23, 1893	3,200
do	James F. McGee.....	Mar. 1, 1893	3,500
do	Robert Merchant.....	May 1, 1878	2,500
do	William H. Riley.....	July 5, 1879	2,500
do	Dennis McNamara.....	Jan. 17, 1883	2,500
do	William F. Leggett.....	Jan. 2, 1896	2,500
do	E. Stillman Doubleday.....	April 1, 1897	2,500
do	Andrew McDonald.....	April 1, 1897	2,500

Stenographer	Herbert A. Briggs.....	July 30, 1897	3,000
do	W. L. Ormsby.....	June 1, 1884	2,000
do	Senter H. Ormsby.....	Jan. 2, 1896	3,000
do	John B. Carey.....	Oct. 1, 1879	3,000
do	Charles H. Raque.....	Sept. 1, 1870	3,000
do	Timothy Bigelow.....	Oct. 1, 1870	2,000
do	John E. Norcross.....	Dec. 1, 1870	2,000
do	George L. Betts.....	Jan. 2, 1896	3,000
do	William P. Cherry.....	Dec. 7, 1896	3,000

FIFTEENTH REPORT OF THE

Supreme Court—(Continued).

Class II—(Continued).

Position.	NAME.	Date of entrance into position.	Compensation.
Court Officer and Messenger.....	William Fullum.....	Dec. 5, 1891	\$1,200
do do	Thomas Morau.....	Jan. 25, 1897	1,200
do do	Edmund M. Parker.....	Mar. 17, 1897	1,200
do do	John Furman.....	Aug. 1, 1899	1,200
do do	Hugh B. O'Connor.....	Feb. 1, 1890	1,200
do do	Edward Bell.....	Oct. 16, 1891	1,200
do do	William P. Dillon.....	Nov. 1, 1881	1,200
do do	Joel Skidmore.....	Aug. 1, 1899	1,200
do do	Frederick Brink.....	Dec. 15, 1893	1,200
do do	John Spaulding.....	Jan. 2, 1896	1,200
do do	Lorenzo J. Farrell.....	Jan. 2, 1896	1,200
do do	Patrick Nolan.....	Jan. 2, 1896	1,200
do do	Edward M. Grant.....	Jan. 2, 1896	1,000
do do	Thomas Shevlin.....	Jan. 2, 1896	1,600
do do	Nicholas Doyle.....	Jan. 2, 1896	1,200
do do	James Donovan.....	Jan. 2, 1896	1,200
do do	James Flaherty.....	Jan. 2, 1896	1,200
do do	Charles H. Farrell.....	Jan. 2, 1896	1,600
do do	James Sharrhon.....	Jan. 2, 1896	1,200
do do	Alexander M. Cabre.....	Jan. 2, 1896	1,200
do do	John J. O'Connell.....	June 4, 1896	1,200
do do	Arthur E. Cable.....	Jan. 4, 1896	1,200
do do	Andrew Beck.....	Jan. 2, 1896	1,200
German Interpreter.....	Frank Mann.....	Dec. 12, 1899	1,600
Hebrew Interpreter.....	Baruch Miller.....	June 1, 1895	1,600
Norwegian Interpreter.....	John Jacobson.....	June 1, 1895	1,200

THIRD DISTRICT.

Unclassified Service.

Justice.....	A. T. Clearwater.....	Jan. 1, 1898	7,200
do	Edgar L. Furman.....	Jan. 1, 1890	7,200
do	Samuel Edwards.....	Jan. 1, 1896	7,200
do	Alden Chester.....	Jan. 1, 1896	7,200
do	Emory A. Chase.....	Jan. 1, 1897	7,200

Class I.

Clerk to Justice Clearwater.....	McDonald Van Wagoner....	Jan. 1, 1896	1,200
Clerk to Justice Chester.....	Louis F. O'Neill.....	Jan. 1, 1896	1,200
Clerk to Justice Chase.....	Georgina A. Jackson.....	Jan. 1, 1897	800
Clerk to Justice Edwards.....	Florence B. Miller.....	Jan. 1, 1896	416

FOURTH DISTRICT.

Unclassified Service.

Justice.....	Leslie W. Russell.....	Jan. 1, 1892	7,200
do	Martin L. Stover.....	Jan. 1, 1892	7,200
do	S. Alonzo Kellogg.....	Jan. 1, 1891	7,200

Class I.

Clerk to Justice Russell.....	P. R. McMonagle.....	Jan. 1, 1892	1,200
Clerk to Justice Stover.....	B. W. Kellogg.....	Jan. 1, 1891	1,200
Clerk to Justice Kellogg.....	Charles F. Halligan.....	Oct. 1, 1896	1,200

NEW YORK CIVIL SERVICE COMMISSION.

1141

Supreme Court—(Continued).

FIFTH DISTRICT.

Unclassified Service.

Position.	NAME.	Date of entrance into position.	Compensation.
Justice	Maurice L. Wright.....	Jan. 1, 1892	\$7,200
do	Frank H. Hiscock.....	Jan. 1, 1897	7,200
do	Peter B. McLennan.....	Jan. 1, 1898	7,200
do	William E. Scripture.....	Jan. 1, 1896	7,200

Class I.

Clerk to Justice Scripture	M. S. Scripture.....	Jan. 1, 1896	1,800
Clerk to Justice Hiscock.....	William A. Comstock.....	April 1, 1897	1,800

Class II.

Stenographer	Henry R. Carrier.....	July 1, 1897	2,500
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SIXTH DISTRICT.

Unclassified Service.

Justice	Burr Matlice	Jan. 1, 1897	7,200
do	Garritt A. Forbes	Jan. 1, 1898	7,200
do	Walter L. Smith	Jan. 1, 1899	7,200
do	George F. Lyon	Jan. 1, 1896	7,200

SEVENTH DISTRICT.

Unclassified Service.

Justice	Charles C. Dwight.....	Jan. 1, 1887	7,200
do	William A. Werner.....	Jan. 1, 1895	7,200
do	John M. Davy	Jan. 1, 1899	7,200
do	Edwin A. Nash	Jan. 1, 1896	7,200
do	James W. Dunwell.....	Jan. 1, 1896	7,200

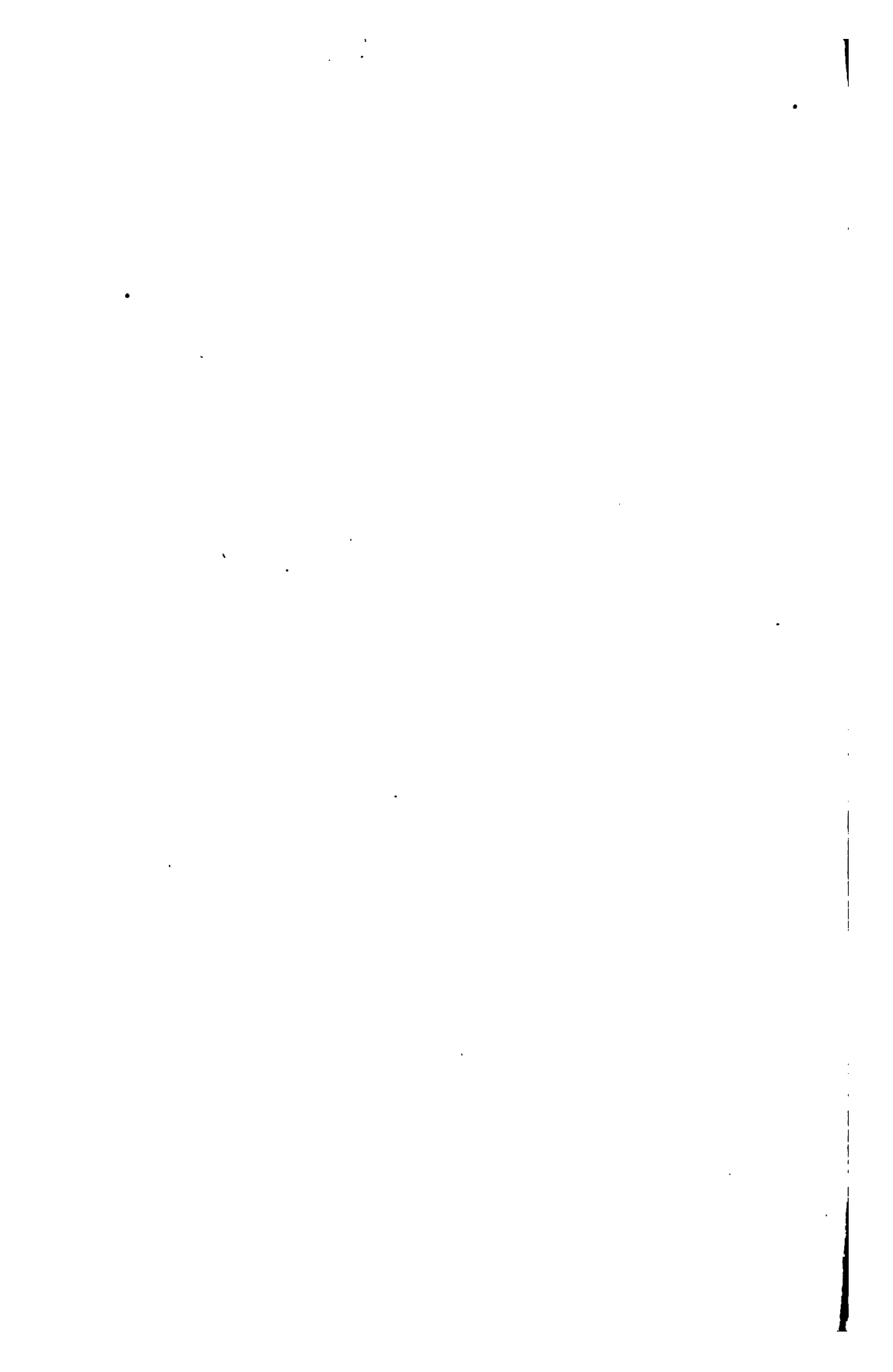
EIGHTH DISTRICT.

Unclassified Service.

Justice	Henry A. Childs.....	Jan. 1, 1884	7,200
do	Alfred Spring	Jan. 1, 1896	7,200
do	Frank C. Laughlin.....	Jan. 1, 1896	7,200
do	Robert C. Titus	Jan. 1, 1896	7,200
do	Truman C. White	Jan. 1, 1898	7,200
do	John Woodward	Jan. 1, 1897	7,200

Class II.

Stenographer	George A. Thornton	Jan. 3, 1896	2,500
do	Mark F. Bensley	Jan. 3, 1896	2,500
do	Henry F. Glisan	Jan. 3, 1896	2,500
do	Charles H. Bailey	Jan. 3, 1896	2,500
do	George Macnoe	Jan. 3, 1896	2,500
do	Irving F. Cragin	Jan. 3, 1896	2,500
do	Robert C. Chopin	Jan. 3, 1896	2,500
Crier	George Fugatey	Jan. 3, 1896	1,000
do	Levi Vailler	Jan. 3, 1896	1,000
do	Frank Hess	Jan. 3, 1896	1,000
do	Victor Germain	Jan. 3, 1896	1,000
do	William F. Estes	Jan. 3, 1896	1,000
Attendant	William N. Cariton	Jan. 3, 1898	1,000
do	John Devine	Jan. 6, 1896	1,000
do	Porter A. Bird	Jan. 3, 1896	1,000



INDEX.

- Accounts**, rule as to approval of, 707.
- Adjutant-General**, positions in Class III, 690.
- Agar, John W.**, application for writ of mandamus, 659-61.
- Age limitations**, rulings on, 149.
- Agricultural Experiment Station, Geneva**, classification of positions, 94; examinations for, 28-29, 790, 851-53; positions in Class I, 673; roster, 1054-55; rulings on positions, 150.
- Agricultural science**, examination in, 793.
- Agriculture, Department of**, classification of positions in, 94; amendments to, 140; changes in, 143; examinations for, 826-28, 957-63; positions in Class I, 672; roster, 1036-37; rulings on positions in, 148.
- Albany**, Civil Service rules, 175-98; bridge-tender, case of, 659-61.
- Albion House of Refuge**, *see* House of Refuge, Albion.
- Algebra**, examination in, 837, 848, 911.
- Amendments to Civil Service classification**, 139-42.
- American History**, examination in, 843-44, 895, 925-26.
- Apothecary**, examination for, 725, 941-43.
- Applications for admission to examinations**, 679-80, 690-700.
- Appointing officers**, *see* Officers.
- Appointment and removal**, power of, 695.
- Appointments**, 83-86, 98-119; rules governing, 669; commission may inquire into method of, 747-48; Health officers, 117-18; number, 1885-96, 7; preference in, 753; probationary, 650; provisional, 116; temporary, 149, 684-85; without examination, 119.
- Appropriation**, increase requested, 7.
- Architectural draughtsman**, *see* Draughtsman.
- Astronomy**, examination in, 891-92.
- Asylums**, classification, changes in, 144; positions in Class I, 672; positions in Class III, 690.
- Attendant**, examination for, 718.
- Attorney-General**, classification of positions, 94; changes in classification, 143; examinations, 33; examination for tax clerk, 1006-7; opinions of, 419-28; positions in Class I, 670; roster, 1015.
- Auburn**, examination for clerk of Board of Health, 817.
- Auburn Prison**, classification of positions, 94; amendments to classification, 139; positions in Class I, 671; examination for guards, 875-76; roster, 1042-44.
- Auburn Prison for Women**, *see* Prison for Women, Auburn.
- Ballston Springs Board of Trustees**, George M. Hoyt *v.*, 610-17, 647-50.
- Banking Department**, classification of positions, 94; changes in classification, 143; positions in Class I, 670; roster, 1029-30.
- Barker, Edward P.**, *v.* Patrick M. Havery, 545-51.
- Batavia**, School for the Blind, *see* School for the Blind, Batavia.
- Bath, Soldiers and Sailors' Home**, *see* Soldiers and Sailors' Home, Bath.
- Binghamton State Hospital**, roster, 1058-62.
- Blind**, School for, *see* School for the Blind, Batavia.
- Board and lodgings**, commutation for, 710.
- Boards**, *see specific name of*.
- Boards of Examiners**, *see* Examiners.
- Bookkeeper**, examination for, 715, 836-37, 914-16.
- Botany**, examination in, 893.
- Brady, Thomas**, *v.* Edward C. O'Brien, 561-64.
- Brooklyn**, amendments to city regulations, 153; Board of Education, William B. Ridenour *v.*, 530-35; Civil Service rules, 190-239; commissioner of city works *v.* Theodore B. Willis, 596-600; decision concerning assistant warrant clerk, 511-19; discharge of city employee, decision on, 429-30;

- mayor and common council, Patrick H. Corrigan *v.*, 617-27. *See also* Palmer, Comptroller George W.
- Brooklyn, commission of subways, classification of positions, 94; positions in Class I, 674.
- Buffalo, amendments to city regulations, 154-56; Board of Civil Service Commissioners, Samuel Kittenger *v.*, 655-58.
- Buffalo State Hospital, roster, 1071-74.
- Building, Inspector of, *see* Inspector of Buildings.
- Buildings, *see* Public Buildings.
- Bureau of Statistics of Labor, *see* Labor Statistics, Bureau of.
- Burlingame, Holmes W., *v.* Emma Q. Hayward, 608-10.
- Capitol Commissioner, classification of positions, 94; amendments to classification, 139; positions in Class I, 671; roster, 1049.
- Carroll, Frank J., *v.* New York City Civil Service Boards, 551-55.
- Certificates for promotion, transfer and reinstatement, 689.
- Certifications to fiscal officers 694; to the Comptroller, 706-7.
- Charitable Institutions, positions in Class III, 690.
- Charities, Board of, examinations for positions in office, 29, 723, 785-90, 903-5; classifications of positions, 94; amendments to classification, 141; positions in Class I, 672; roster, 1051-52.
- Chemistry, examination in, 891-92.
- Chief Examiner, annual report, 22-38; regulations concerning, 696-97; law affecting, 739-40.
- Chief of Ordnance, positions in Class III, 690.
- Chittenden, Simeon B., *v.* Frederick W. Wurster, 433-501, 519-20.
- Cities, constitutionality of Civil Service Law, 450; effect of exempt classification by mayor, 450; remedy for improper classification by mayor, 450; examinations in, 31-32; regulations continued in force, 749-50. *See also* Municipal Civil Service.
- Citizenship and residence, regulation on, 708-9.
- City regulations, amendments to, 153-56.
- Civil engineers, examination for, 719-21, 930-34.
- Civil Government, examination in, 788, 821, 829-30, 838-39, 848-49, 895, 904-5, 909-10, 925, 965-66.
- Civil Service, definition of, 663-66; constitutional provisions, 450.
- Civil Service Commission, additional work and responsibility, 6-7; classification of positions, 94; changes in classification, 143; term defined, 666; laws governing, 737; rooms for, 740-41; roster, 1052.
- Civil Service Laws, *see* Laws.
- Civil Service Reform, 11.
- Claims, Board of, *see* Court of Claims.
- Class, term defined, 666.
- Class I, appointments in, 98-99, 142, 674; definition of, 669; positions in, 669.
- Class II, appointments in, 83-85; 100-15, 119, 143, 676-79; definition of, 674-76; groups and subdivisions, 710-13.
- Class III, 33-35, 69-72, 76, 136; changes in classification, 144; definition of, 689; employment in positions, 691-92; examinations in, 730; positions in, 689-91.
- Class IV, definition of, 692-93.
- Classification, changes in, 142-44.
- Classification of positions in departments, 94-95; amendments to, 139-42.
- Classified service, appointments to, 669.
- Clerks, examinations for, 24, 714, 819-23, 907-10; classification of, 741.
- Clinton Prison, classification of positions, 94; examination for guards, 873-75; roster, 1044-46.
- Cobb, Willard A., John B. Van Petten *v.*, 579-84.
- Cohocton Board of Trustees, Jacob Wagner *v.*, 537-40.
- Collins Farm Homeopathic Hospital, classification of positions, 95; roster, 1075.
- Commission, Civil Service, *see* Civil Service Commission.
- Commission in Lunacy, *see* Lunacy Commission.
- Commission of Fisheries, Game and Forests, *see* Fisheries, Game and Forests, Commission of.
- Commissioners, appointment of, 737; compensation and expenses, 749-49; to establish rules and regulations, 754.
- Compensation, term defined, 667.

- Competitive examinations, *see* Examinations.
- Comptroller, classification of positions, 94; changes in classification, 142, 143; positions in Class I, 670; positions in Class III, 689; certifications to, 706-7; roster, 1014-15.
- Confidential positions, 450, 514, 561.
- Constitution, Civil Service clause of, 450, 756.
- Copyist, examination for, 714.
- Cornell University, Weather Bureau, *see* Weather Bureau, Cornell University.
- Corrigan, Patrick H., *v.* Mayor and Common Council of Brooklyn, 617-27.
- Counties, Civil Service of, 450; Civil Service rules not applicable to, 695.
- County commissioners, not liable for removal of veteran, 431-33.
- Court attendants, examination for, 761-63, 921-23.
- Court Clerks, examination for, 812-15.
- Court Crier, examination for, 718, 759-60.
- Court Interpreter, examination for, 727-28; 776-85.
- Court of Appeals, classification of positions, 95; changes in classification, 143; decisions of, 429-661; positions in Class I, 671; roster, 1134-35.
- Court of Claims, classification of positions, 94; positions in Class I, 672; roster, 1050-51.
- Court Stenographers, rulings on positions, 148; examinations for, 771-76, 991-1002.
- Courts, decisions of, 35-38, 429-661; positions in Class I, 674; amendments and changes in classification, 142-43; rulings on positions in, 150.
- Craig Colony, Sonyea, classification of positions, 95; rulings on positions, 150; roster, 1126-27.
- Cruger, S. Van Rensselaer, John J. O'Brien *v.*, 569-79.
- Crummey, Robert, *v.* George W. Palmer, 511-19.
- Custodial Asylum, Newark, classification of positions, 95; roster, 1129-30.
- Custodial Asylum, Rome, classification of positions, 95; roster, 1128-29.
- Deaths during year, 120.
- Decisions of, Supreme Court and Court of Appeals, 429-661.
- Department of Agriculture, *see* Agriculture, Department of.
- Department of Excise, *see* Excise, Department of.
- Department of Public Instruction, *see* Public Instruction, Department of.
- Department of Public Buildings, *see* Public Buildings, Department of.
- Department of Public Works, *see* Public Works, Department of.
- Dictation exercise in stenography, 771-75, 858-62, 865-69, 970-83, 991-1002.
- Draughtsman, architectural, examination for, 943-46; examination for, 29, 800-6.
- Drawing, examination in, 845-46, 898-99.
- Earl, Mortimer C., *v.* George E. England, 600-5.
- Economics, examination in, 894-95.
- Editing, examination in, 796.
- Education, History of, examination in, 842-43, 1007-8.
- Electrical engineer, examination for, 946-51.
- Eligible lists, duplication of merit lists, 24, 82; rulings on, 148, 149; removal of name from, 655; regulations on, 705-6; continued, 754-55.
- Elmira, Civil Service rules, 240-45.
- Elmira Reformatory, classification of positions, 95; changes in classification, 144; examination for positions in, 30-32, 832-34, 870-73, 877-79, 963-64; positions in Class I, 673; positions in Class III, 690; roster, 1121-23.
- Employment Bureau, roster, 1051.
- Engineer and Surveyor, classification of positions, 94; changes in classification, 142, 143; rulings on positions, 149; positions in Class I, 670; roster, 1016-20.
- Engineering draughtsman, *see* Draughtsman.
- England, George E., Mortimer C. Earl *v.*, 600-5.
- English, examination in, 794, 808, 850, 880-83, 911-12.
- English Composition, examination in, 841.
- English History, examination in, 897.

- English Literature, examination in, 850-51, 881, 911.
- Ennis, John, Thomas J. Linnekin v., 606-8.
- Examinations, applications for admission to, 679-80, 699-700; appropriations necessary, 7; in Class III, 730; exemptions from, 450; general summary, 77; laws affecting, 737-38; list, 40-46; marking and grading papers, 702-3; number, 23; number examined, 7, 23, 73-75; practicability of, 450; for promotion, 730; qualifications for, 714-29; samples of questions, 757-1010; regulations for guidance of competitors, 734-36; for 1897, report on, 27-33; subjects, 714-29; tables, 40-86. *See also* Fitness examinations; Merit examinations; Non-competitive examinations; Provisional examinations.
- Examiners, special and expert, 90-91; in State institutions, 92-93; **Boards of**, 89; appointment, Attorney-General's opinion on, 419-21; authority of Commission to employ, 419-21; compensation of, 419-21, 707; duties and salaries, 739-40; instructions to, 731-33; local, 26-27, 89, 91-92; regulations concerning, 698-99. *See also* Chief examiner.
- Excise, Department of, classification of positions, 94; changes in classification, 142; positions in Class I, 671; examinations for special agent, 722, 916-18; roster, 1034-35.
- Executive Chamber, classification of positions, 94; amendments to classification, 139; positions in Class I, 669; roster, 1013.
- Exemptions from examinations, 450.
- Experiment Station, *see* Agricultural Experiment Station.
- Factory Inspector**, classification of positions, 94; positions in Class I, 673; examination for deputy, 722, 919-21; roster, 1037.
- Fallon, John J., v. Robert J. Wright, 521-30.
- Fees of witnesses, law affecting, 748.
- Firemen, discharge of, 555-57.
- Fisheries, Game and Forests, Commission of, classification of positions, 94; amendments to, 139; changes in, 142, 144; positions in Class I, 672; positions in Class III, 690; roster, 1048.
- Fiscal officers, certifications to, 694.
- Fitness examinations, 13-18, 24-25; held by Commission, 25, 82; tables, 78-81; regulations concerning, 704-5; law affecting, 753.
- Forest Preserve Board, classification of positions, 94; amendments to classification, 140; positions in Class I, 672; roster, 1048-49.
- Fowler, Charles S., chief examiner, report, 22-38.
- French, examination in, 779-83, 791-92, 885-88.
- French History, examination in, 897.
- Gas meters**, Inspector of, classification of positions in office, 94; roster, 1053.
- General provisions of State Civil Service Rules, 667-68.
- Geneva, Agricultural Experiment Station, *see* Agricultural Experiment Station, Geneva.
- Geologist, State, *see* State Geologist.
- Geology, examination in, 892-93.
- German, examination in, 777-79, 792, 883-85.
- Governor's office, positions in Class I, 669. *See also* Executive Chamber.
- Grade, term defined, 666.
- Grecian History, examination in, 896.
- Greek, examination in, 890.
- Group, term defined, 666.
- Hannan, William H. H., v. Board of Health of Troy, 502-10.
- Hart, William H., v. O. H. La-Grange, 558-59.
- Haverty, Patrick M., v. Edward P. Barker, 545-51.
- Hayward, Emma Q., Holmes W. Burlingame v., 608-10.
- Health, State Board of, classification of positions, 94; positions in Class I, 672; roster, 1050.
- Health Officer, Port of New York, classification of positions, 94; positions in Class I, 673; positions in Class III, 691; roster, 1056.
- Health Officers, appointments of, 117-18.
- Heeney, Patrick H., George M. Hoyt v., 610-17, 647-50.
- History of United States, examination in, 848-49.
- Hoffman, Charles, v. Charles A. Rupp, 540-44.

- House of Refuge, Albion, classification of positions, 95; changes in classification, 143, 144; positions in Class I, 672; positions in Class III, 691; roster, 1127-28.
- House of Refuge, Hudson, classification of positions, 95; changes in classification, 144; examinations for positions in, 32, 964-67; positions in Class I, 672; positions in Class III, 691; roster, 1132-33.
- Hoyt, George M., *v.* Patrick H. Heeney, 610-17, 647-50.
- Hudson, House of Refuge, *see* House of Refuge, Hudson.
- Hudson River State Hospital, roster, 1103-9.
- Industrial school, Rochester, classification of positions, 95; changes in classification, 143, 144; positions in Class I, 673; positions in Class III, 690; roster, 1123-25.
- Information, regulation concerning, 707-8.
- Inspector of Building, examination for, 988-90.
- Inspector of Gas Meters, *see* Gas Meters, Inspector of.
- Inspector of schools, examination for, 1007-10.
- Inspectors of election, exempted from examination, 749.
- Inspectors of masonry, examination for, 815-17.
- Institution for Feeble-Minded Children, Syracuse, classification of positions, 95; roster, 1130-32.
- Instructions to Examiners, 731-33.
- Interpreter, examination for, 776-85.
- Insurance Department, classification of positions, 94; changes in classification, 143; positions in Class I, 670; positions in Class III, 689; roster, 1028-29.
- Italian, examination in, 783.
- Janitor, examination for, 718, 761-63.
- Junior clerks, examination for, 714, 846, 911-12.
- Junior physicians, *see* Physicians.
- King, David H. Jr., Peter D. Traphagen *v.*, 587-91.
- King's County, special commissioner of jurors, 147; surrogate of, 427.
- Kittenger, Samuel, *v.* Board of Civil Service Commissioners of Buffalo, 655-58.
- Labor Statistics, Bureau of, classification of positions, 94; changes in classification, 144; positions in Class I, 672; examination for statistician, 725-26; roster, 1051.
- La Grange, O. H., William H. Hart *v.*, 558-59.
- Land Survey, State, classification of positions, 94; changes in classification, 142; rulings on positions in, 150; roster, 1049-50.
- Latin, examination in, 888-90.
- Law clerks, examinations for, 723, 767-71, 913-14.
- Law Library of Supreme Court, Newburgh, roster, 1134.
- Laws, Civil Service, 737-56; comments on law of 1898, 5-6, 10-18; constitutionality, 450.
- Library assistants, examination for, 729, 901-2.
- Lieutenant-Governor, classification of positions, 94; roster, 1013.
- Linnekin, Thomas J., *v.* John Ennis, 606-8.
- Long Island State Hospital, Brooklyn, roster, 1062-66; King's Park, roster, 1066-70.
- Lunacy Commission, classification of positions, 95; positions in Class I, 672; roster, 1057-58.
- Lyman, Henry H., William H. D. Sweet *v.*, 650-54.
- McCloskey, James, *v.* Theodore B. Willis, 596-600.
- Mandamus, directing Comptroller to report vacancies, 559-61; motion for peremptory, 617; not granted in certain cases, 648; peremptory, 357; province of a writ of, 540-44; for reinstatement, 617; right of relator to, 647; to compel restoration of official, 535; to restore a person to an office which has been abolished, denied, 606-8.
- Manhattan State Hospital, roster, 1080-99; Central Islip, roster, 1096-99; Hart's Island, roster, 1092-96; Ward's Island, roster, 1081-92.
- Manual Training Instructor, examination for, 832-34, 987-88.
- Marking and grading examination papers, 702-3.
- Marshal, examination for, 718.
- Masonry, Inspector of, examination for, 815.
- Mathematics, examination in, 890-91.
- Matron, examination for, 924.

- Matteawan State Hospital, roster, 1075-77.
- Mayors, to prescribe regulations, 743-45. *See also* Cities.
- Mediation and Arbitration, Board of, classification of positions, 94; positions in Class I, 673; roster, 1052.
- Medical Internes, rulings on positions, 145; examinations for, 725, 798-800, 934-35, 986-87.
- Medical Superintendent, examination for, 724, 939-41.
- Member of Assembly, may be appointed clerk of a district court, 591-96.
- Merit examinations, 13-18, 23-24, 43-46, 680-81; regulations concerning, 701; law affecting, 752-53.
- Merit lists, rulings on, 150, 682-83; regulations on, 703-4.
- Merritt, James M., *v.* New York City Civil Service Board, 584-87.
- Messengers, examinations for, 718, 921-23; law affecting, 739-40.
- Methods, examinations in, 841-42, 926-27, 1008-9.
- Middletown State Homeopathic Hospital, roster, 1077-80.
- Miscellaneous Reporter, classification of positions, 95; roster, 1134.
- Moloney, Thomas, *v.* George E. Waring, Jr., 555-57.
- Municipal Civil Service, 9; regulations, 628. *See also* Cities; Mayors.
- Municipal salaried employee, removal of, 617.
- New York City, Civil Service regulations, 280-331; Department of Correction, 521-25; Fire Commissioners, decision concerning, 558-59; Special Commissioner of Jurors a county officer, 148; mayor, alderman and commonalty, John N. Stewart *v.*, 591-96; Police Department, amendments to rules of, 157-71; Chief of Police, classification of position, 421-27; Warden of City Prison, 525.
- New York City Civil Service Board, Frank J. Carroll *v.*, 551-55; James M. Merritt *v.*, 584-87.
- New York City Courts, examinations for positions in, 27-28; changes in classification of positions, 143; rulings on positions in, 148, 149; jurisdiction of State Civil Service Commission denied, 428.
- New York State History, examination in, 895.
- Newark Custodial Asylum, *see* Custodial Asylum, Newark.
- Newburgh Law Library, Supreme Court, roster, 1134.
- Niagara Reservation Commissioners, classification of positions, 94; positions in Class I, 673; roster, 1055-56.
- Non-competitive examinations, 33-35, 69-72, 76, 689-91, 738. *See also* Class III.
- Normal schools, classification of positions, 95; changes in classification, 144; positions in Class I, 674; roster, 1021-28.
- Nuttall, William, *v.* Adolph Simis, Jr., 429-33.
- Oath, official, law affecting, 748-9.
- O'Brien, Edward C., Thomas Brady *v.*, 561-64.
- O'Brien, John J., *v.* S. Van Rensselaer Cruger, 569-79.
- Office, term defined, 667.
- Officers, reports, 693, 741-43; not to promise influence, 746-47.
- Onondaga Salt Works, classification of positions, 94; positions in Class I, 673; positions in Class III, 690; roster, 1053-54.
- Opinions of Attorney-General, 419-28.
- Orderly, examination for, 718.
- Oxford, Women's Relief Corps Home, *see* Women's Relief Corps Home, Oxford.
- Pages, examinations for, 719-21, 990-91.
- Palmer, Comptroller George W., Robert Crummey *v.*, 511-19; John Tregaskis *v.*, 559-61; John Vanderhoff *v.*, 535-36.
- Pathological Institute, classification of positions, 95; examination for associate in, 906-7; roster, 1058.
- Pedagogy, examination in, 879.
- Penman, expert, examination for, 819-23.
- People *ex rel.* George M. Hoyt *v.* Board of Trustees of Ballston Springs and Patrick H. Heeney, 610-17, 647-50.
- People *ex rel.* Patrick M. Haverly *v.* Edward P. Barker, 545-51.
- People *ex rel.* Patrick H. Corrigan *v.* Mayor and Common Council of Brooklyn, 617-27.
- People *ex rel.* Samuel Kittenger *v.* Board of Civil Service Commissioners of Buffalo, 655-58.
- People *ex rel.* Jacob Wagner *v.* Board of Trustees of Cohocton, 537-40.

- People *ex rel.* John B. Van Petten v. Willard A. Cobb, 579-84.
 People *ex rel.* John J. O'Brien v. S. Van Rensselaer Cruger, 569-79.
 People *ex rel.* Mortimer C. Earl v. George E. England, 600-5.
 People *ex rel.* Thomas J. Linnekin v. John Ennis, 606-8.
 People *ex rel.* Holmes W. Burlingame v. Emma Q. Hayward, 608-10.
 People *ex rel.* Peter D. Traphagen v. David H. King, Jr., 587-91.
 People *ex rel.* William H. Hart v. O. H. La Grange, 558-59.
 People *ex rel.* William H. D. Sweet v. Henry H. Lyman, 650-54.
 People *ex rel.* Frank J. Carroll v. New York City Civil Service Board, 551-55.
 People *ex rel.* James M. Merritt v. New York City Civil Service Board, 584-87.
 People *ex rel.* Thomas Brady v. Edward C. O'Brien, 561-64.
 People *ex rel.* Robert Crummey v. George W. Palmer, 511-19.
 People *ex rel.* John Tregaskis v. George W. Palmer, 559-61.
 People *ex rel.* Charles Hoffman v. Charles A. Rupp, 540-44.
 People *ex rel.* William Nutall v. Adolph Simis, Jr., 429-30.
 People *ex rel.* Michael Reynolds v. Frank Squier, 565-69.
 People *ex rel.* William Sears v. William R. Tobey, 627-45.
 People *ex rel.* William H. Hannan v. Board of Health of Troy, 502-10.
 People *ex rel.* Thomas Moloney v. George E. Waring, Jr., 555-57.
 People *ex rel.* John J. Fallon v. Robert J. Wright, 521-30.
 People *ex rel.* George Schlagenhaut v. Jacob Worth, 646-47.
 People *ex rel.* Phillip T. Williams v. Jacob Worth, 647.
 Physicians, rulings on positions, 145; examinations for, 724-25, 853-54; 905-6; 935-40.
 Physics, examination in, 844, 891-92.
 Physiology and Hygiene, examination in, 844-45, 894, 929, 966.
 Political assessments prohibited, 745-46.
 Port Wardens, Board of, classification of positions, 94; positions in Class I, 673; roster, 1057.
 Porter, examination for, 718.
 Positions, short-term, 685.
 Poughkeepsie Civil Service Rules, 246-59.
 Prison Commission, classification of positions, 94; changes in classification denied, 144; positions in Class I, 671; roster, 1042.
 Prison for Women, Auburn, classification of positions, 94, 690; roster, 1044.
 Prison guards, examinations for, 718, 921-23.
 Prisons, State, *see* State Prisons.
 Probation, term of, 683-84.
 Promotions, 685-87; certificates for, 689; examinations for, 25-26, 730; law affecting, 738; regulations concerning, 709-10; during year, 121-25.
 Provisional appointments, 116.
 Provisional examinations, 69.
 Psychology, examination in, 879.
 Public Buildings, Department of, classification of positions, 94; changes in classification, 144; positions in Class I, 672; positions in Class III 689; roster, 1037-38.
 Public employe, term defined, 746.
 Public Instruction, Department of, classification of positions, 94; changes in, 142, 143; changes in, denied, 144; examinations, 30; positions in Class I, 671; positions in Class III, 689; roster, 1020-21.
 Public officer, term defined, 746.
 Public Works, Department of, classification of positions, 94; amendments to, 140; changes in, 143; changes in, denied, 145; examinations for positions in, 722, 955-57; positions in Class I, 671; positions in Class III, 639; positions classed as laborers, 692; roster, 1030-34.
 Qualifications for examination, 714-29.
 Quarantine Commission, classification of positions, 94; positions in Class I, 673; positions in Class III, 691; roster, 1056-57.
 Questions for examinations, samples, 757-1010.
 Quorum of Civil Service Commission, 747.
 Railroad Commission, classification of positions, 94; amendments to, 142; changes in, 143; positions in Class I, 671; roster, 1030.
 Recommendations from certain officers not to be received, 745.
 Record clerks, examination for, 763-66.

- Recorder, examination for, 714.
 Reform in the Civil Service, 11.
 Reformatory Guard, examination for, 718.
 Regents, *see* University of the State of New York.
 Register, examination for, 714.
 Regulations, of Commission, 696; for guidance of competitors, 734-36.
 Reinstatement in service, 688, 689.
 Removal, power of, 696.
 Removals during year, 127-29.
 Reporter, State, *see* State Reporter.
 Residence and citizenship, regulation on, 708-9.
 Resignations during year, 130-35.
 Reynolds, Michael, *v.* Frank Squier, 565-69.
 Ridenour, William B., *v.* Board of Education of City of Brooklyn, 530-35.
 Rochester Civil Service regulations, 332-53.
 Rochester Industrial School, *see* State Industrial School, Rochester.
 Rochester State Hospital, roster, 1109-11.
 Roman History, examination in, 896.
 Rome Custodial Asylum, *see* Custodial Asylum, Rome.
 Rooney, James, application for writ of mandamus, 659-61.
 Roster of State employees, 1011-1141.
 Rules for the State Civil Service, 665-95.
 Rulings of Commission, 145-50.
 Rupp, Charles A., *Charles Hoffman v.*, 540-44.
 St. Lawrence State Hospital, roster, 1090-1103.
 Schenectady, Civil Service regulations, 354-68.
 Schlagenhauf, George, *v.* Jacob Worth, 646-47.
 School for the Blind, Batavia, classification of positions, 95; changes in classification, 143, 144; positions in Class III, 691; roster, 1120-21.
 School law, examination in, 837, 1009-10.
 School teachers not entitled to hearing before removal, 530.
 Sears, William, *v.* William R. Tobey, 627-45.
 Secretary of Commission, regulations concerning, 697-98; law affecting, 739-40.
 Secretary of State, classification of positions, 94; changes in classification, 143; positions in Class I, 670; roster, 1013-14.
 Short-term positions, 685.
 Simis, Adolph, *William Nutall v.*, 429-33.
 Sing Sing Prison, classification of positions, 94; changes in classification, 143; examination for guards, 899-900; examination for Superintendent of Goodyear Shoe Industry, 854-57; roster, 1046-47.
 Soldiers, *see* Veterans.
 Soldiers and Sailors' Home, Bath, classification of positions, 95; changes in classification, 143; rulings on positions in, 149; positions in Class I, 673; positions in Class III, 691; roster, 1125-26.
 Spanish, examination in, 781.
 Squier, Frank, *Michael Reynolds v.*, 565-69.
 State Architect, Department of, examinations for positions in, 32.
 State Civil Service law, constitutionality, 450.
 State employees, roster of, 1011-1141.
 State Geologist, classification of positions, 94; rulings on positions, 146-47; roster, 1041-42.
 State Historian, classification of positions, 94; roster, 1053.
 State Hospitals, classification of positions, 95; amendments to, 141; changes in, 144; examinations, 32; examination for matron, 717; positions in Class I, 672; positions in Class III, 690; rulings on positions in, 145; roster, 1058-1120. *See also* Medical Superintendent; Physicians.
 State Industrial School, Rochester, examinations for instructor in, 30, 32, 806-8, 967-68.
 State Land Survey, *see* Land Survey, State.
 State Library, roster, 1040-41.
 State Museum, classification of positions, 94; roster, 1041.
 State Normal College, Albany, roster, 1021.
 State Normal Schools, *see* Normal Schools.
 State Prisons, classification of positions, 94; changes in classification, 143, 144; positions in Class I, 671; positions in Class III, 690; examination for positions in, 823-26; roster, 1042.

- State Reporter, classification of positions, 95; roster, 1135.
 State Treasurer, *see* Treasurer.
 Statistical clerk, examination for, 834-39.
 Statisticians, examination for, 918-19.
 Statutes, *see* Laws.
 Statutory Revision Commission, classification of positions, 94; roster, 1052.
 Steam Engineer, examination for, 951-55.
 Stenographers, examination for, 30-31, 715-17, 771-76, 857-70, 968-86, 991-1002. *See also* Court Stenographers.
 Stewart, John N., *v.* Mayor, Alderman and Commonalty of New York, 591-96.
 Subdivision, term defined, 666.
 Subjects of examinations, 714-29.
 Superintendent of State Hospital, *see* Medical Superintendent.
 Superintendent of State Prisons, *see* State Prisons.
 Superintendent of Weights and Measures, *see* Weights and Measures, Superintendent of.
 Supreme Court, classification of positions, 95; rulings on positions, 147; decisions of, 429-661; roster, 1135-41.
 Sweet, William H. D., *v.* Henry H. Lyman, 650-54.
 Syracuse, Civil Service rules, 369-88; clerk of Police court not in State service, 627.
 Syracuse Institution for Feeble-Minded Children, *see* Institution for Feeble-Minded Children, Syracuse.

 Tables of examinations, 40-86.
 Tax Commissioners, classification of positions, 94; positions in Class I, 673; roster, 1053.
 Teachers, removal of, 530; in State institutions, examination for, 726, 925-29.
 Teachers' Training Classes, inspector, examination for, 834-46.
 Telegrapher, examination for, 29-30, 828-32.
 Tenure of office of appointive salaried employees, 617.
 Terms, definition of, 666-67.
 Thacher, John Boyd, application for writ of mandamus to issue to, 659-61.
 Thomas Orphan Asylum, classification of positions, 95; amendments to classification, 141; positions in Class I, 673; positions in Class III, 691; roster, 1133-34.
 Tobey, William R., William Sears *v.*, 627-45.
 Towns, Civil Service of, 450; Civil Service rules not applicable to, 695.
 Trades Schools, Elmira Reformatory, examination for director of, 870-73.
 Transfers, 126, 687-88; certificates for, 689.
 Traphagen, Peter D., *v.* David H. Kling, Jr., 587-91.
 Treasurer, classification of positions, 94; changes in, 143; positions in Class I, 670; positions in Class III, 689; roster, 1015.
 Tregaskis, John, *v.* George W. Palmer, 559-61.
 Troy Board of Health, William H. Hannan *v.*, 502-10.
 Troy Civil Service regulations, 389-402.
 Typewriting, examination in, 863, 869-70, 984-86.

 United States History, *see* American History.
 University of State of New York, positions in, 672; classification of positions, 94; rulings on positions, 146; roster, 1038-42.
 Examinations, 33; for Examiner, 727, 808-12, 880-99; for Inspector of Schools, 1007-10.
 Usher, examination for, 718.
 Utica State Hospital, roster, 1111-14.

 Van Patten, John B., *v.* Willard A. Cobb, 579-84.
 Vanderhoff, John, *v.* George W. Palmer, 535-36.
 Veterans, age limit, 655; application for mandamus, 569-79; bridge-tender, 551-55; competency, 610-17; court decisions concerning, 35; disabled, 565-69; failure to place name on eligible list, 584-87; mandamus, 537; preferences allowed, 750-52; preferred to another employee, 596-600; removal, 431-33, 502, 505, 525, 535, 545, 555, 561, 600-5, 752; right to have counsel, 561; rights of, preserved, 755; rulings on positions, 146, 148; school teachers in Brooklyn, 530;

- striking a name from the list of eligibles, 579-84; term defined, 667;
 Appointments, without examination, 505; as janitor of a school building, 608-10; illegal, 559-61; preference in, 647; probationary, 650; right to, 627.
 Villages, Civil Service of, 450; Civil Service rules not applicable to, 696.
- Wagner, Jacob, v.** Board of Trustees of Cohocton, 537-40.
Waring, George E., Jr., Thomas Moloney v., 555-57.
Warsaw Union Free School, People of the State v., 608-10.
 Watchman, examination for, 718.
 Weather Bureau, Cornell University, classification of positions, 94; rulings on positions in, 150; positions in Class I, 673; roster, 1055.
Weights and Measures, Superintendent of, classification of positions, 94; positions in office, Class I, 674; roster, 1053.
- Western House of Refuge, Albion**, *see* House of Refuge, Albion.
Willard State Hospital, roster, 1114-20.
Williams, Philip T., v. Jacob Worth, 647.
Willis, Theodore B., James McCloskey v., 596-600.
 Witnesses, attendance of, 748.
Women's Relief Corps Home, Oxford, classification of positions, 95; amendments to classification, 140; positions in Class I, 674; roster, 1134.
Worth, Jacob, George Schlagenhauf v., 646-47; **Philip T. Williams v.**, 647.
Wright, Robert J., John J. Fallon v., 521-30.
Wurster, Frederick W., Simeon B. Chittenden v., 433-501, 519-20.
- Yonkers, Civil Service regulations**, 403-16.
- Zoology, examination in**, 893-94.

